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ABSTRACT

This report examines State level strategies designed to promote local desegregation efforts as reflected in pupil reassignment plans, housing desegregation, community involvement, and changes within schools. The case histories and results of successful desegregation litigation in thirteen States are discussed. Also presented are the following task force recommendations for effective State action: (1) clear policy directives; (2) commitment to policy; (3) understanding and use of existing State authority; (4) encouraging Federal government coordination of programs for urban integration; (5) financial and psychological incentives to increase residential opportunities for minorities; (6) technical assistance; (7) monitoring and sanctions; and (8) public support. (JCD)

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ASSESSMENT OF CURRENT KNOWLEDGE
ABOUT THE EFFECTIVENESS OF
SCHOOL DESEGREGATION STRATEGIES

VOLUME VIII
STATE STRATEGIES FOR
REDUCING RACIAL ISOLATION

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Foreword

This volume is one of nine resulting from the Assessment of Effective Desegregation Strategies Project (hereafter referred to as the Project). The Project was financed with funds provided by the Office for Civil Rights (OCR) of the U.S. Department of Education and administered by the National Institute of Education (NIE).*

The primary purpose of the Project has been to identify what is known about strategies that are effective in desegregating school systems. A secondary objective of the Project is to facilitate further research on this topic. The Project will be successful if policy makers and practitioners use its findings, and the subsequent knowledge from research to which the project contributes, to more effectively racially desegregate the nation's schools.

There are several potential goals of desegregation and these may be the terms in which effectiveness is measured. This Project defined an effective strategy in one of four general ways:

1. The acceptance and support of desegregation by parents and the community.
2. The reduction of racial isolation and the avoidance of segregation among public schools (white flight and nonentry) and within schools (unnecessary ability grouping, push-outs, etc.).
3. The development of better race relations among students.
4. The improvement, or at least the continuance, of academic achievement.

* This report was prepared under Contract No. NIE-R-79-0034.

The Project involved several different but interrelated activities:

1. A comprehensive review of the empirical research (see Volume V).
2. A review of the qualitative literature on school desegregation, including studies surveying the opinions of practitioners and policy makers (see Volume VI).
3. An analysis of ten key court decisions (see Volume VII).
4. Interviews with local and national experts on school desegregation (see Volume VI).
5. A synthesis of the information gathered in activities 1-4 (see Volume I).
6. A review of actions by state governments and interviews with state officials.
7. An agenda for future research to determine the effectiveness of school desegregation strategies (see Volume II).
8. The design of a multicommunity study to determine the factors that account for the effectiveness of school desegregation (see Volume III).
9. A guide to resources that those charged with implementing desegregation might find helpful (see Volume IV).
10. A comprehensive bibliography of books, articles, papers, documents and reports that deal with desegregation strategies related to the four general goals outlined above (see Volume IX).

These several activities were conducted by a team of researchers from several universities and organizations. The Project, which was managed by Willis D. Hawley with the assistance of William Trent and Marilyn Zlotnik, was initially based at Duke University's Institute of Policy Sciences and Public Affairs. Midway during its 19 month life, the Project was moved

to Vanderbilt University's Institute for Public Policy Studies. The members of the Project team were:*

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The conclusions reached in the several volumes are those of the named authors. Neither the NIE or OCR necessarily supports the findings of this Project.

* Affiliations are for the period during which these persons participated in the study.

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PREFACE

This report has been written at a time of national reassessment on two fronts. First, the role of busing to achieve racial balance is being reviewed once again in a climate that continues to be highly critical. Second, the nature of the federal/state partnership in enforcing desegregation mandates is also being reviewed with the objective, on the part of the current administration, of shifting greater responsibility to the states.

The information included in this report, and the perspectives of the diverse group of state officials presented with it, should be carefully reviewed by policymakers debating either of these issues. The states do have available to them a number of broad instrumentalities that can be used to further the goals of desegregation while, at the same time, improving the quality of education for all students. Further, the states are using those instrumentalities, with notable successes, in ways that are deserving of careful examination by those who are concerned with developing a more effective federal/state partnership in the area of desegregation.

I would particularly like to thank Carol Andersen, a policy analyst with ECS' National Education Improvement Center, who pulled together numerous state documents and other materials, interviewed officials in the states, and organized and wrote much of the report. I am also indebted to Allan Odden, director of ECS' Education Programs Division, of which the Center is a part. His comments were valuable to the NEIC staff as we designed the study and completed the written report. Constance Maslow, who assisted with the writing and interviewing, was a source of invaluable support and assistance. A special word of appreciation is due to Eileen Vigil and Jeanne Seda who, with perseverance and good humor, were able to produce the final document while mastering the complexities of our new word processing equipment.

It is a great pleasure to me to release this document as one of the first products of the recently established National Education Improvement Center. It will be circulated by the Center to state policymakers nationwide, further refined and updated, and will become part of an extensive information service available to policymakers who continue to seek increasingly more effective ways of achieving the underlying goals of desegregation.

Ben Williams, Director
National Education
Improvement Center

INTRODUCTION

This report was prepared independently at the Education Commission of the States (ECS) to supplement the material in the larger report of which it is a part — Assessment of Current Knowledge about the Effectiveness of School Desegregation Strategies, prepared at the Vanderbilt Institute for Public Policy Studies. Whereas the Vanderbilt study provides an assessment of local strategies that may be used to achieve the varied goals of school desegregation, this report is concerned with strategies that states may use to encourage and strengthen local efforts and to promote those same goals. It is based on four separate sources of information.

(1) A literature review. It was recognized at the outset that the literature concerned with the role of the state in desegregating the public schools would be extremely limited -- and that expectation was borne out. With the assistance of the ECS Resource Center, a number of data bases anticipated to provide relevant information were computer searched. A total of 153 references were cited of which 11 provided pertinent information.

The information obtained is incorporated in later sections of this report. In general, the literature provides analyses of how states have influenced school districts to reduce racial isolation and to prevent resegregation between and within schools. It is not concerned with research data and indeed, for reasons to be discussed in the concluding section of this report, there is very little, if any, literature available that interprets research

findings in ways that meet the needs of policymakers at the state level. Similarly, only a very limited effort appears to have been made to conduct research on the efficacy of state action in this area.* Thus, the literature is largely limited to analytic work that does not have a base in research.

This is not to say that the available literature is not valid or helpful, but for the purposes of this report it does fail to meet the objective of identifying strategies (in this case, at the state level) that have been proven successful through reliable and accepted research techniques -- or directly to relate state strategies to those activities at the local level that have been documented, by research, to be effective.

A second complicating factor with respect to the available literature is that it does not provide a basis for generalization. States, of course, are unique and each approaches a new area of activity in different ways. Some further discussion of the variations among states appears in the following section, but it is important to realize that these variations make it extremely difficult to generalize from the existing literature, which tends to be "state specific."

(2) Telephone interviews. Approximately 35 telephone interviews were conducted with state officials across the country.

*One state, California, has recently reported funding a research project to determine the impact of state action on desegregating school districts.

The limitations of the literature would have resulted in a rather disproportionate emphasis being placed on the results of telephone interviews had it not been for the availability of the (1) findings of the National Project and Task Force on Desegregation Strategies and (2) the resource materials available within ECS (to be discussed below). Telephone interviews, then, were designed primarily to obtain the perceptions of those interviewed rather than to obtain information, although a great deal of information did in fact result from them.

A discussion of the interview process appears in a later section of this report. It includes the rationale for selecting states to include in the study (and for selecting the individuals to be interviewed), a discussion of the questionnaire that was used, and of the results of the interviews. With a few exceptions, which are noted in the text, the factual information included in this report was verified in official state documents. It is therefore assumed that the information included herein is correct.

In terms of assessing which state strategies have been "successful," however, there is considerably less certainty. Not only is success always relative, there are numerous dependent and independent variables to consider in any local setting that preclude the possibility of identifying straightforward cause and effect relationships.

Nonetheless, the information that was made available by those interviewed provides some bases for evaluating the successfulness

of state intervention that is not judgmental in nature. Then too, those interviewed represented a range of different perspectives (e.g., legislators, state board members, officials in state education agencies and state human relations commissions, directors of state teacher associations, etc.). Their views varied widely and some were outspoken critics of their state's approach to and progress in promoting the goals of desegregation.

Thus, in spite of the necessarily judgmental nature of assessing the successfulness of state strategies, the individuals interviewed, as a diverse and highly knowledgeable group, provide a reasonably balanced and accurate picture as well as supplying sufficient information to support some generalizations.

(3) The findings of the National Project and Task Force on Desegregation Strategies. The work of the project and task force began in 1977 and concluded three years later (October 1980). It was directed by Ben Williams under the auspices of three sponsoring organizations: the Education Commission of the States, the Council of Chief State School Officers, and the National Association of State Boards of Education. Funding was provided by the Ford Foundation, the National Institute of Education and the U.S. Department of Education.

The task force was chaired by former U.S. Commissioner of Education Francis Keppel, and included in its membership a racially and ethnically diverse group of state and local education officials, community and religious leaders, and nationally respected scholars, all with extensive experience in desegregating schools. In their three years of work, the task force contributed

their unique perspectives and insights on the leadership role of state government in the area of school desegregation.

The findings of the task force are the basis for much of this study and their final recommendations to the states are included in the final section of the report. Without the work of the project and task force, particularly their reports and other publications, little would have been available to provide either a basic framework for this study or an overview and analysis of state activity in the area of desegregation.

(4) Resource materials available within ECS. The resource materials that have been collected by ECS are primarily of two kinds: (1) survey data and (2) reports and other materials from the states. The survey data includes the information used to prepare Profiles of State Desegregation Activity: August 1979, a wall chart that has a very brief analysis of the laws, regulations, state board policies, compliance and enforcement methods, court cases and educational components (of state desegregation related activities) for 43 states.

The reports and other materials (copies of laws, court decisions, regulations, etc.), have been provided by the states over a three-year period, often to supplement the information provided in the survey instrument but, also, in response to information requests from task force members or officials in other states. These materials have been used to substantiate and supplement the information received for this report.

I. EFFECTIVE STRATEGIES: THEIR IMPLICATIONS FOR STATES

The goals of desegregation have been described to include: (1) ending racial isolation; (2) avoiding resegregation; (3) improving race relations among students; (4) improving educational quality; and (5) fostering public reaction that is supportive of desegregation activities. It was recognized that some of these goals may be competing (i.e., tradeoffs may be required) and that the priority placed on them would vary from one community (or individual) to the next.

These kinds of goals are equally relevant to state policymakers and, in fact, they are among the basic assumptions that guide state action. It should be remembered, however, that the state must achieve its goals by working through local personnel. State officials, for example, can encourage districts (and through them, individual schools) to improve race relations among students in a variety of ways, but they do not directly work with the students themselves. Each of these goals, then, has a somewhat different set of implications for state policymakers than it does for officials at the local level.

There are also some distinctions between state and federal policymakers that should be mentioned. Federal intervention typically comes about because of the belief that something a district is doing or has done constitutes a violation of civil rights guaranteed by the U.S. Constitution or by federal legislation (e.g., the Civil Rights Act of 1964). Securing an

individual's (or a class of individuals) civil rights may or may not lead to improving the educational program even though a greater degree of equity may have been achieved.

State officials, who are also responsible for upholding (both federal and state) legal and constitutional mandates are, in addition, constitutionally responsible for the education system in their state. They are in a better position than federal officials to upgrade the quality of education as they act to improve equity within the system. Thus, desegregation has been tied to school finance reform (to improve the equity of education finance), state mandated school improvement planning, and other activities designed to improve equity or quality in education. State intervention may come about, then, as part of a positive move to improve schools rather than solely in response to neglect or wrongdoing in a specific district.

For these reasons, the objectives of state officials with respect to desegregation may not be identical to those of either local or federal officials. Although some goals are shared in common, as indicated above, others could be specified for states that recognize the pivotal position of state government in terms of working continuously with districts over time to achieve desegregation goals while, at the same time, pursuing other fundamental and related education goals.

These differences between state policymaking on the one hand, and federal and local policymaking on the other, should also be considered in reviewing the rationale presented for classifying local strategies.

Basically, four subdivisions

have been created in this study to classify desegregation strategies: (1) pupil assignment plans; (2) housing desegregation; (3) community preparation and involvement; and (4) changes within schools.

These four separate subdivisions incorporate a desegregation process that includes: (1) planning (with community involvement); and (2) pupil reassignment and school change in response to desegregation (also with community involvement). It includes, in addition, an emphasis on housing desegregation as a means of minimizing the pupil reassignment step, but leaving the process as a whole largely intact.*

From the standpoint of state officials, these same considerations can be converted into four basic questions (each with many sub-questions):

- How can districts best be encouraged through state action to initiate the process?
- After the process has been initiated, how can it be monitored to assure that the goals of desegregation (and legal/constitutional mandates) have been met?
- How can planning for desegregation be made to complement and support other education goals (for example, improving the quality of education, meeting the special needs of limited-English-speaking children, etc.)?

*Clearly, if desegregation were to occur as a result of changing residential patterns, pupil reassignment would not be necessary and much of the negative reaction to desegregation might be avoided. However, if the goals of desegregation are to be met (e.g., improved race relations among students, improvements in educational quality, etc.), then (1) planning for an integrated education, with community involvement in the planning process, and (2) school change, again, with community involvement, would continue to be appropriate and desirable.

- How can housing desegregation be promoted through state action?

These questions are answerable in the sense that structures do exist that permit states to initiate new processes at the district level and to monitor them, to provide for joint planning and coordination at both the state and district levels and, at the state level, to develop interagency agreements designed to promote joint action. These structures will be discussed briefly in the following section prior to a more detailed discussion of specific state strategies and their relationship to those at the local level that are discussed in this report.

State Strategies

The mechanics of state government are widely understood, but it is nonetheless helpful in a report of this kind to begin with a few reminders of how states function and why, therefore, certain strategies are typically used to achieve the objectives of public policy.

The states have approximately the same structure as the federal government, although some significant differences exist (gubernatorial powers are not identical to presidential powers, state legislatures have different responsibilities than Congress, etc.). There are wide variations in state-local relationships, particularly when it comes to the division of responsibility for funding and delivering programs and services such as education. To some extent, the capacity of the state to assume a leadership role depends on structural and financial constraints, as well as

tradition.

School districts are creations of the state and their taxing authority is derived from the state. State education codes, administered by the state education agency (SEA), define basic operating procedures as well as establish some program requirements. State boards of education, through policies and regulations, further shape and define the operation of the education system. The certification of teachers and administrators is also a state responsibility, and all states have a constitutional responsibility for providing for a uniform system of education. No two states are structured the same way--Nebraska, for example, has a unicameral legislature, Wisconsin has no state board of education, etc. -- and each has a unique approach to meeting its responsibilities for the education system in partnership with local education agencies (LEAs).

In spite of variations, the strategies states use to bring about change at the local level are surprisingly uniform. Although strategies are used differently and in different combinations -- and although a given strategy may be effective in one state but not another -- there is a typical set of strategies that are employed by most states. They are:

1. State Policies. The adoption of an official state policy (e.g., by the state board or superintendent of education, the legislature or the governor, by executive order), can be an effective means of bringing about change. Districts can be encouraged in a variety of ways to adopt practices that are

consistent with state policy and to discontinue those that are not.

2. Regulations and/or Guidelines. Although these terms can be used interchangeably, common usage is that (a) regulations are promulgated by SEAs to provide for the uniform implementation of a policy or law, while (b) guidelines are promulgated by the SEA to assist districts in implementing a concept or idea in ways that will be consistent with existing policies and laws. In some states, regulations have "the full force and effect of law."
3. Technical Assistance. There are wide variations in approaches to technical assistance. At a minimum, technical assistance is used to monitor for compliance with regulations and, in the event of non-compliance, to negotiate with the district until compliance has been achieved. Technical assistance, however, can be provided to assist districts with planning activities, inservice training programs, program/curriculum development, evaluation, etc.
4. Financial Incentives and Sanctions. States typically provide funds for education through (a) the general aid formula, (b) categorical aid for specialized services or programs, (c) incentive funds to encourage and support selected activities, and (d) special appropriations for specific education-related costs (e.g., transportation, construction, etc.). As at the federal level, funding requirements can be used, in

all cases, to bring about desired changes at the local level.*

5. Other Sanctions. State boards/superintendents may challenge districts in state courts. While court tests may help to establish the legal validity of some specific state or local action, it is not a preferred strategy since court action can delay effective implementation for many years (for a full generation of students in some cases). In some states, technical assistance may include a "legal briefing" on existing case law to prevent local officials from adopting a course of action that cannot withstand court tests (that is, "preventive law" is often an important component of technical assistance).
6. Monitoring and Enforcement Procedures. In some cases, the state education agency (or some other agency) is specifically empowered to take some action against districts that fail to comply with a specific law or policy. These kinds of powers are in addition to those already available to the agency, which vary from state to state. States have also been empowered to take over the day-to-day operation of school districts in extreme cases -- again, an approach that is seldom resorted to.

*Note: States may also withhold funds from districts that fail to meet state mandates. If the state is the "strong fiscal partner" in the state-local partnership, the withholding of funds can have a considerable impact. However, the withholding of essential funds is not consistent with the state's constitutional responsibility to provide for a uniform system of public education, and is a sanction that is used with considerable discretion.

7. State Leadership Activities. Any state official can make an effort to draw attention to a specific area of concern and try to create a climate of understanding that will lead to purposeful action. This can be done through the media, public hearings, state and sub-state meetings and workshops, information clearinghouses, newsletters, etc.

State Options in the Area of Desegregation

The above kinds of strategies, when brought into play around desegregation objectives, are effective in a variety of ways and they can also be effective in promoting the local strategies discussed elsewhere in this report. Following the organization of the report, the following sections provide some discussion of the use of state strategies with respect to developing pupil assignments at the local level, encouraging housing desegregation, providing for community preparation and involvement, and bringing about school change.

Pupil Assignment Planning

Although not explicitly described in the body of this report, it is assumed that a planning process will take place around pupil reassignment. A variety of strategies are discussed that research findings indicate should be taken into consideration in the planning process. From the standpoint of state officials, these strategies might be grouped into three major areas: (1) statewide planning considerations; (2) the use of financial incentives; and (3) the design of policies, regulations and technical assistance.

Statewide planning. Statewide planning considerations encompass strategies that would: (1) encourage pupil reassignments in the primary grades (K-3); (2) balance the use of magnet schools with procedures to enrich and strengthen non-magnet schools (so they will not be perceived as substandard); (3) provide for an efficient transportation system; (4) encourage interdistrict cooperation; and (5) encourage metropolitan planning.

With respect to the K-3 years, state officials might consider the joint planning of early childhood education programs, compensatory education programs (which are typically concentrated at the K-3 level), and desegregation planning. California, for example, has had a comprehensive early childhood program for many years that is closely integrated with state and federal compensatory education programs. These programs, including Head Start, are designed to meet the needs of low-income children and serve many minority students. Because of the over-lapping of goals, target populations, etc., it might be appropriate to provide, statewide, for the coordination of these activities.

In much the same vein, desegregation planning can be coordinated with the many state mandates centered on "school improvement planning," basic skills improvement, etc., to provide for the enrichment of non-magnet schools. New Jersey provides an example:

The state board sets goals, in our case 12 very broad outcome goals and 9 very broad process goals. Secondly, every district must prepare annually an education program, including goals consistent with state goals, that must be approved by their own board, then approved by the state

department of education through county offices. This education plan must set objectives that can be evaluated, can be measured, and then also has to set corresponding standards. It outlines the education programs which are designed to achieve those objectives.*

Whether encouraging integrated education for younger children or strengthening non-magnet schools, states can encourage desegregation goals by providing for a coordinated effort between those agencies concerned with early education and compensatory education on the one hand, school improvement planning on the other, and the agency concerned with equal educational opportunity. There are other types of coordinative efforts that also would be supportive of desegregation goals; these two are, however, illustrative of the potential of joint planning activity at the state level to achieve closely related goals and objectives.

In terms of developing efficient transportation systems, several options exist. On the one hand, a statewide transportation system can be developed to facilitate desegregation, as has been done in North Carolina. Direct aid has been provided for desegregation-related transportation costs in some states, and funding requirements can easily be designed to ensure the development of an efficient system. Finally, as a component of a state leadership program, regional workshops could

*Fred Burke, "Quality from the State Education Perspective," a speech prepared by Dr. Burke, New Jersey Commissioner of Education, for the 1979 annual meeting of the Education Co. of the States. The speech has been published in ECS Re-133, Quality Education pp. 18-23.

be conducted to encourage information sharing between districts about efficient approaches and procedures (as proposed on pages 26-27 of this report).

With respect to interdistrict cooperation and metropolitan planning, both have been encouraged through the provision of state incentive funds. In the past, most states have consolidated school districts in order to achieve greater efficiency through economies of scale. District consolidation has been helpful in reducing racial isolation as well.

Finally, it should be noted that statewide planning activity can itself encourage interdistrict cooperation. The adoption of state policies or laws, implemented through regulations and the provision of technical assistance, lead to the establishment of state standards for determining when racial isolation exists. Action on the part of the state prompts districts to apply state standards and to act to correct racial isolation when they might otherwise not have done so. It can also encourage districts to approach desegregation planning on an interdistrict basis, particularly when incentive funds are made available.

Financial incentives. The second cluster of strategies in this section are concerned with the construction of magnet schools and are based on two basic approaches: (1) the location of magnet schools in minority communities to enhance the prestige of minority neighborhoods/schools; and (2) the assignment of students to new school buildings or schools that are in good condition. Many states pay a substantial part, or all, of the costs of school construction. In some states, state construction aid is

contingent upon the development of a plan at the district level that assures that the construction of new buildings will further desegregation goals. A relatively simple and straightforward strategy, the tying of state construction aid to desegregation planning has proven effective in reducing racial isolation.

Policies, regulations, and technical assistance. The remainder of the strategies discussed in this section are components of local planning processes, which can be most directly influenced through state policies, regulations and technical assistance. They include: (1) the use of a mandatory approach; (2) an equitable approach that does not result in minorities bearing a disproportionate burden for school desegregation; (3) the design and use of magnet schools as part of a mandatory approach; (4) the use of flexible attendance zones or sub-districts (to make adjustments to desegregation plans relatively easy to make);* (5) the avoidance of a "phasing in" period; (6) the selection of appropriate ratios of Anglo and minority students at each building site; and (7) the integration, to the maximum extent feasible, of socioeconomic classes.

In most cases, these strategies can be encouraged or required by state regulations and technical assistance. Regulations, for

*It is interesting to note, with respect to the creation of sub-districts at the local level, that Illinois' Armstrong Act requires that "As soon as practicable, and from time to time thereafter, the (local) board shall change or revise units or create new units in a manner which will take into consideration the prevention of segregation and the elimination of separation of children... because of color, race or nationality."

example, can require a mandatory approach and can specifically identify the design of magnet schools as one of the options that is endorsed by the state. Provisions can also be included to require or encourage the remainder of most of the strategies suggested.

There are two strategies, however, that pose difficult problems for state officials in designing a uniformly appropriate set of regulations or technical assistance. The first, and the more difficult, problems to address is that of providing for the integration of socioeconomic classes. Not only is there no legal basis for doing so, such a policy would tend to dislocate children benefiting from programs specifically designed for them (i.e., compensatory education). And, as has been noted in this report and elsewhere, it is socioeconomic desegregation (rather than racial desegregation) that results in a negative reaction from parents (both Black and Anglo).

This is not to imply that the integration of children from different socioeconomic strata is not desirable or possible. For example, funding provisions for compensatory programs may allow funds "to follow the child" to a new school or district, serving as an incentive to accept low-income children and to provide special programs and services to meet their needs. At the same time, a "hold harmless" provision may protect the school the child is leaving, which is typically serving a concentration of low-income children, so that the school's compensatory program is not weakened.

The discussion of using state strategies to encourage

interdistrict transfers is also applicable here (since there may be no effective means of achieving socioeconomic integration within some school districts). However, reliance on such an approach might be relatively ineffective unless pupil assignment planning specifically identified low-income children and provided for their integration into schools where few low-income children were in attendance. Voluntary transfers, in other words, could be expected to lead to a reduction in racial isolation without necessarily bringing about socioeconomic integration unless it were specifically provided for.

The second major problem area is that of assisting districts with the establishment of a preferred pupil composition. As noted in the "synthesis" volume of this Project, there are a number of different theories about student ratios, each with some drawbacks (See Volume I, pp. 35-37). It is also true that many districts are both multiethnic and highly fluid, in terms of demographic and residential patterns and in terms of declining enrollments. In such districts, programmatic efforts (e.g., bilingual education) may be unnecessarily costly as a result of desegregation unless some means can be found of maintaining sufficient concentrations of special needs students to allow the provision of specialized services in cost effective ways.

Technical assistance from the SEA may be designed to encourage local officials to make a strong effort to reconcile competing or conflicting goals, and to establish some priority between goals when compromise is necessary. States can also grant exemptions to districts that cannot achieve one objective without

weakening another. For example, in Michigan several districts have received temporary exemptions from the state mandate to reduce racial isolation in their schools in order to avoid weakening ongoing efforts to improve student achievement. (Local planning to improve student achievement is also state mandated, and the SEA conducts annual assessments to monitor progress in that area.)

To sum up then, states can, through statewide planning efforts, define and identify racial isolation and can provide the stimulus (through policies, regulations, incentives and sanctions), to cause districts acting singly or jointly, to reduce racial isolation. States can also shape local planning efforts along the lines suggested in this report. By encouraging coordination between desegregation planning and other activities (early childhood education, compensatory education, school improvement planning, bilingual education, etc.), the state can provide for mutual reinforcement of commonly held objectives and help to prevent, to some extent, serious problems from developing as a result of failure to reconcile competing or conflicting objectives.

Housing Desegregation

In this area, states have several options to consider. They can provide for the coordination of state activities that affect residential patterns, normally by establishing some coordinative mechanism in the governor's office. State departments of education can, through regulations, technical assistance or

various leadership activities, encourage local officials to provide for coordination between local school boards, municipal/county governments, and other appropriate public and private agencies. The following paragraphs have been excerpted from an ECS publication concerned with this issue.*

States have begun to take a more active role in planning for comprehensive (i.e., statewide) school desegregation. As is the case at the federal level, state policies in other areas can have unintended effects on urban segregation. For example, state tax incentives which encourage the location of businesses in outlying suburbs may draw wealth, population and jobs to those locations, to the detriment of the central city. If states are increasingly to be held responsible for remedying school segregation, they must become aware of the potential for conflict of desegregation with other state policies, in order to avoid or minimize such conflicts. Once an awareness of the possible interrelationships of state policies and programs exists, related policies and programs can be used to encourage urban integration.

An obvious opportunity for coordination exists between school and housing policies. A year ago, the Ohio Joint Select Committee on School Desegregation presented comprehensive findings and recommendations to the Ohio legislature.** Among its conclusions was that 'stable, integrated neighborhoods present the most realistic long-term alternatives to busing.' Which state agencies, by virtue of their substantive or civil rights enforcement responsibilities, ought to be included in such an effort? Some of them are suggested by the Ohio report -- e.g., the state civil rights commission; the state housing agency; the

*Mary Rashman, "Interagency Coordination: New Approaches for State and Federal Governments," Progress, Winter 1980, pp. 3-6.

**Report and Recommendations of the Joint Select Committee on School Desegregation to the Ohio General Assembly, December 1978 (Ohio Report).

state department of education; the divisions of the commerce department having responsibility for real estate, building, loans and banks; and the state real estate commission. In addition, coordination with local and metropolitan housing and urban planning authorities would be essential.

Why should states take on this responsibility? Apart from the fact that federal and state laws forbid discrimination, courts are increasingly holding state education officials responsible for remedying the effects of school segregation, and are requiring states to bear the costs of such remedies. Moreover, as the Ohio report points out, segregation, whether it results from actions by schools or housing officials or other causes, can have substantial social and economic costs -- e.g., in lowered housing and property values, unavailability of mortgage funds and high unemployment rates -- costs which the state may have to bear.

As to which state agency should coordinate the effort, an obvious choice would be the state civil rights commission. Many of these agencies, however, are unable even to keep up with their normal caseloads of complaints. They may also lack the staff capacity for extensive investigation and monitoring. A better idea might be a special task force consisting of representatives of the state agencies whose activities affect urban segregation. To give it sufficient power to monitor and evaluate activities of the various state agencies, such a task force would probably have to be established within the governor's office.

At a minimum, state agencies could begin to utilize their existing authority to attack the problem of urban segregation. For example, real estate commissions can educate and monitor their licensees for civil rights compliance. Civil rights commissions can raise the priority of housing discrimination cases. State agencies providing technical assistance to local school districts in the development of school desegregation plans can evaluate the potential impact of those plans on residential patterns, and can encourage local districts to exempt integrated neighborhoods from such plans.

Rashman concludes her article by pointing out that the suggestions included in it are only illustrative and that the potential for state action in remedying urban segregation has not been realized.

Community Preparation and Involvement

The forging of working relationships and the creation of community support for public education is often found to be a high priority among state officials. The community school movement and many of the school improvement initiatives mandated by states are designed to draw the community into school planning and program implementation.

It is probable that desegregation might be interwoven with other activities that are oriented toward encouraging community involvement. Again, the coordination of activities at both the state and local level (through interagency planning at the state level and regulations and/or technical assistance at the local level) might lead to an effective means of involving the community in school planning and in implementation activities. This is particularly true with respect to coordinating desegregation with the planning that surrounds the community school concept since it (like bilingual education) can also be at odds with school desegregation unless some means is found to reconcile implementation strategies.

The strategies suggested in this section also provide an additional reason for coordinating desegregation with early childhood education. One of the difficulties working parents experience is the need to provide a safe, nurturing environment for younger children after regular school hours. Some private schools recognize this need and may attract middle/upper income parents by providing for an all day program. These factors, plus

the problems associated with declining enrollments and teacher surpluses, have led to some pressure to provide for an all day public school program for younger children -- since both classroom space and teaching personnel are available. School systems that are considering an extension of their early education program should, of course, take into consideration the goals of desegregation.

The SEA can play a facilitative role in providing for media relations prior to a desegregation effort (after which, that role might more appropriately be provided for at the district level). Such an activity could be conducted as part of the state leadership effort.

Clearly, the state can contribute to those efforts designed to promote receptivity on the part of the public to desegregation. This is particularly true if the state is assuming a leadership role in bringing about desegregation, but in many states, a simple statement of policy in support of equal educational opportunity can serve to reinforce local efforts to develop an equitable approach to desegregation. In other words, whether a state has mandated desegregation or not, a policy statement provides a tool that is of real value to local officials who must be most immediately responsible for bringing about public acceptance for desegregation.

State officials too can make those public statements of commitment and support that influence parents and communities to lend their energies to making a desegregation plan work. Many have done so, helping to clarify misunderstandings, strengthening

commitment and, in general, creating a climate of support for desegregation planning and implementation. Legislators can be particularly effective in their own districts as they meet with different groups within their constituency.

School Change:

A heavy emphasis has been placed in this report on providing for changes in the schools that will result in successful and effective desegregation as opposed to a mechanistic transferring of students from one building to the next. That emphasis, as indicated in the following section, was also characteristic of the state officials interviewed for this study.

There are three primary considerations that have been identified here: (1) the need for an adequate administrative structure at the district level; (2) provision for structural and curricular change; and (3) the development of inservice training programs for teachers and administrators. Possible state roles in each area are briefly discussed below.

As discussed in the Synthesis, district-level administrative structures need to provide, functionally, for public information and community relations, inservice training, coordination among related programs and activities, and monitoring and evaluation. It should be recognized that each of these functions is integrally related to the next -- that evaluation data are important to the monitoring function which is, in turn, important to the public information function, etc. Both coordination and inservice training are means of integrating desegregation planning into a

more comprehensive, school-wide effort that includes planning for improved educational quality i.e., school improvement.

Technical assistance from the SEA can be oriented towards helping districts provide for each of these separate functions (as well as providing for coordination between them), and helping districts integrate these specialized functions into their broader counterparts. That is, planning for desegregation can become an integral part of planning for school improvement; evaluating desegregation implementation can become an integral part of the evaluation design of the district as a whole, etc.

Similarly, the office or agency within the SEA that provides technical assistance to desegregating districts (i.e., the office of equal educational opportunity or state EEO office), can be structured to provide for functions that parallel those at the district level. That office, too, can be functionally integrated with other agencies within the SEA (planning, evaluation, public information, etc.) around common objectives -- perhaps through interagency agreements, coordinating councils, joint planning arrangements, or other similar devices.

It is important to recognize the tradeoffs between, on the one hand, maintaining the identity and visibility of a single-purpose agency as compared with, on the other hand, providing for maximum coordination and integration. It is not uncommon to emphasize a new public policy thrust by creating a specialized agency and supporting it with sufficient resources to assure that the new thrust will be vigorously acted upon. Eventually, however, as obstacles and inertia are overcome, and as

implementation becomes more or less routine, it becomes increasingly important to provide for closer coordination between the no-longer-new office and others within the system that have related objectives. The gradual integration of the office into the larger system through this process provides for the institutionalization of the concept or innovation and, unless ideas are institutionalized, they can become easy victims of budget cuts and/or shifts in public policy.

In terms of structural and curricular changes in schools, states tend to play a fairly low-key role in deference to the need of local officials to develop an approach in both areas that is responsive to the needs of the communities they serve. Thus, many of the strategies included in this section might be more consistent with those strategies typically used by states to provide assistance and support to districts in the development of plans, rather than those designed to require change.

On the other hand, strategies designed to monitor suspensions by race and sex, to establish policy guidelines limiting the use of suspensions and to establish a uniform code for student behavior might be incorporated in state policies and regulations (that is, might be mandated) in order to insure uniform and equitable treatment for all students. So might also those strategies designed to insure that uniform procedures are used to classify and place students, including those procedures that are associated with ability grouping and tracking. As the Larry P v.

Riles decision indicates, the state has a responsibility in this area.*

It should also be noted that strategies that involve higher costs could be encouraged through the use of incentive funds from the state. The development of a multiethnic curriculum and the hiring of minority counselors or instructional materials coordinators are all examples of initiatives that require additional expenditures, which could be offset by state aid. Policy statements, such as Michigan's Position Statement on Multicultural Education,** accompanied by detailed and comprehensive guidelines, can also be highly effective in promoting the kinds of strategies discussed in this section.

It is also important to recognize that state textbook commissions in 24 states exercise a considerable influence on the selection by local districts of textbooks and other instructional materials. In a few states, guidelines have been prepared to assist state and local officials in identifying materials that are accurate and objective in their portrayal of minority groups and

*In Larry P. v. Riles, a federal district judge found the California superintendent and state board of education responsible for the intentional segregation of Black children in classes for the educable mentally retarded. (See Legal Analysis, September 1980, a publication of the National Project and Task Force on Desegregation Strategies, Education Commission of the States, pp. 8-12).

**A copy of the position statement is available from Dr. John W. Dobbs, Office of School and Community Affairs, Michigan Department of Education, P.O. Box 30008, Lansing, MI 38909, telephone (517) 373-3260.

of the many varied roles played by men and women in American society.*

Again, the value of coordinating related activities at the state level should be mentioned in this context. The agencies in the SEA concerned with curriculum development, textbook selection and equal educational opportunity could coordinate their ongoing efforts and also work cooperatively with the personnel of the state textbook commission if one exists.

Also worth noting in this context is the fact that some of these practices, designed and implemented by desegregating schools, might also be adopted by schools that remain racially isolated. It is as appropriate, for example, to encourage the hiring of multiethnic staff by all-white schools as it is by desegregated schools and state affiliates of the major teacher unions have been instrumental, along with SEAs, in encouraging such practices.** Another example are the above mentioned Michigan guidelines for a multiethnic curriculum which are

*ECS is currently conducting a project concerned with textbook accuracy that emphasizes the portrayal of Native Americans in textbooks. The project, directed by Lee Antell, is currently developing guidelines for the use of state and local officials.

**State officials have worked successfully with state chapters of the American Federation of Teachers and the National Education Association to promote desegregation goals. The two most typical activities have been inservice training in the area of human relations and providing assistance in the recruitment and hiring of minority staff.

appropriate to all of the state's schools. If, in other words, these kinds of practices are encouraged by state action, they have a wider impact than when adopted only by desegregating school districts--a factor that is generally supportive of improving race relations and which, in some cases, could facilitate school desegregation in districts that may become racially imbalanced at some future time.

The last section, concerned with inservice training for teachers and administrators, suggest a systematic and continuous approach to inservice training that provides for coordinating a desegregation component with other related components (i.e., basic skills development, bilingual education, etc.). It is suggested that the inservice training program be designed to support initiatives centered on school improvement (i.e., improved education quality). It is also pointed out that the ability of teachers and administrators to approach their work with a sense of confidence and competence is tied to training programs that recognize the many different kinds of competing, and sometimes conflicting, responsibilities they have been mandated to assume.

State officials recognize that there are multiple responsibilities that have, relatively recently, been imposed on school personnel. Many different kinds of inservice programs have been developed by states in direct response to these newer challenges, either as "add-ons" or as integral components of state-sponsored professional development programs. In many states, regional centers of the SEA (for example, Boards of Cooperative Education Services, or BOCES), provide continuing

training programs, many of which have some or all of the components discussed in this report. States also provide on-site training programs, also based on these same kinds of strategies. Through technical assistance, states also assist districts design and implement their own inservice programs.

Less widespread, but not uncommon, are state efforts to adjust certification requirements which, in turn, bring about change in preservice training programs. Universities, of course, have a great deal of autonomy in the design of teacher/administrator preparation programs, and it should be acknowledged that many institutions have adapted their curricula to meet changing needs. The state, however, can play an important role in modifying certification standards to reflect the real needs of beginning teachers and administrators for specialized kinds of information and training.

It has been mentioned in several places in this report that school change is where desegregation, defined as integrated education, really begins, and that inservice training is of fundamental importance to success in meeting the larger goals of desegregation. In discussing the role of the state in these two areas, the relatively brief treatment of the strategies suggested in these two sections does not imply a lesser emphasis. Rather, it is assumed that it is not necessary to discuss further the potential of state strategies for encouraging local districts to adopt those practices that are viewed as successful and that are appropriate to their circumstances and needs.

II. THE TELEPHONE SURVEY

An Overview

What states can do is different, of course, from what they actually do. Not only are the states different from one another, their need to act on a given education issue will vary and so will their ability to act. With respect to desegregation, states have a greater or lesser challenge before them depending on their demography, the diversity and mobility of the population and the history or traditions of the state.

In terms of their ability to act, economic conditions are a factor -- both those of the state and of certain localities within the state. New York or Michigan, with New York City and Detroit as principal urban areas, have different economic factors to consider than do Georgia, Colorado or California, with Atlanta, Denver or Los Angeles to consider. The history of any state in the area of desegregation appears to be as unique as that of any of the school districts that have undertaken desegregation.

In selecting states for this study, an effort was made to identify states with different population characteristics, histories (with respect to desegregation), and geographic settings. Of the 43 states that have initiated some kind of action in the area of desegregation, an effort was also made to identify states that had used different approaches -- ranging from minimal action at the state level to increasingly comprehensive approaches. States have been included that provide only

supportive assistance to districts that request it, along with states with mandatory approaches accompanied by strong enforcement activity.

The report is not intended to be comprehensive. Of the 43 states, only 13 are included. The 30 that were not included show the same range of activity and the same variability as those selected. Whether the states included are representative or not would be difficult to determine, but they do provide an overview of what some states have accomplished (that is, of what has been done as opposed to what could be done).

In each of the 13 states, up to four individuals were selected to interview who would be representative of different perspectives of the state's role in desegregation. An effort was made to contact legislators, board members, SEA officials (including directors of state equal educational opportunity offices), members of commissions and officials of professional organizations. Each individual contacted was also a recognized expert on school desegregation, active in their own state and knowledgeable about their state's past and present activities in the area.

Each person was asked to review briefly desegregation activities in their state, to comment on districts that had been highly successful in developing and implementing desegregation plans, and to discuss the strategies of the state that had effectively furthered desegregation efforts. Interviews ranged from twenty to forty-five minutes, with the average interview lasting about thirty minutes. In addition to providing

substantive information on the status of desegregation in their state, the individuals interviewed also shared their perspectives on those activities of the states that have been most conducive to furthering desegregation efforts at the local level.

The individuals interviewed also discussed their concerns for the future and outlined suggestions for addressing those concerns. For many, the process of desegregation is largely past history -- a relatively small, but highly significant, first step toward an integrated education program that is responsive to the many diverse needs of all students. Because of their focus on the broader goals and objectives of education it is appropriate to preface this section with the comments and perspectives of those interviewed on current issues and future directions for desegregated schooling.

Future Directions

Dudley Flood, assistant superintendent in North Carolina's department of education, expressed a common objective of many who were interviewed as follows: "We're in the second generation of desegregation now; we've made a lot of progress in meeting legal criteria and in dismantling dual school systems. But desegregation is a long, drawn out process and the other end of the continuum is integrated education. We're nowhere near integrated education yet." How do we get there? Flood and others pointed to the need to change the vocabulary of desegregation if for no other reason than to counteract simplistic thinking. For many, desegregation is a process of scrambling attendance patterns

until some sort of "balance" has been achieved -- an isolated happening that can be achieved all at one time and then, with a little help from the computer, successfully repeated each year.

Wilson Riles, California's Superintendent of Instruction, expressed concern about simplistic kinds of thinking. "If," he pointed out, "the rest of us can't learn unless we're sitting next to a white person, then there's a problem -- since two-thirds of the world's population is not white. There's just not enough white people to go around."

A related problem is the tendency to think of desegregation in "black and white." Many of those interviewed referred to the need to address the problems of Hispanic students (particularly those who are limited in English proficiency) in desegregating school districts. The same concern could be expressed about other minority students -- for example, Asian and Native American students. The primary concern expressed was that our education system is still largely not preparing young people to live in a multicultural setting. In addition to the inequities that result from that failure there is growing concern that it also "weakens the nation's economy, its social fabric and its position in the world."*

*National Task Force on Desegregation Strategies, Final Report, October 1980, p. 2.

Successes at the Local Level

All of those interviewed were familiar with a number of success stories at the local level. In terms of (1) reducing racial isolation, (2) preventing resegregation, and (3) improving race relations (or preventing negative public opinion from developing), most persons interviewed named one or more districts where notable successes had been achieved.

There were a number of factors cited that those interviewed felt were essential to successful desegregation at the district level. Leadership from local officials, careful planning that involved parents and community leaders, and a realistic timeline for implementation were among those most frequently mentioned. Accurate and objective media coverage was also viewed as extremely important.

The quality of the educational setting was also seen as critical. Teacher attitudes and expectations, curriculum enrichment and specialized programs (i.e., bilingual education, compensatory education, etc.) were all important contributors to successful desegregation. So too was the presence, in sufficient numbers, of minority teachers, counselors and administrators.

Taken together, these various contributors to successful desegregation point to the necessity for careful and effective planning at both the school building and school district level. And, as has already been pointed out, planning cannot be confined to simply arranging for racial balance but must encompass a range of activities if the objectives of schools, parents and communities are to be realized.

Successful State Strategies

In the preceding section, a description of the potential alternatives available to the states to further school desegregation efforts was presented. The state officials interviewed in the phone survey, however, pointed out that those strategies should not be viewed in isolation or as short-term solutions to the problems associated with desegregation. It was repeatedly pointed out that desegregation is not an end in itself, and that strategies can and should be combined in creative ways to achieve successful outcomes.

The first obstacle to desegregation is inertia, or a general resistance to change, at both the state and local levels. While court action has effectively overcome inertia in some school districts, it has also helped to create a paralysis in others. It can be difficult to assume leadership if there has been no legal challenge to the status quo -- if the problem is viewed, essentially, as a legal problem.

States have successfully overcome inertia in several ways. Both statutes and state board policies have led to official requirements for districts to desegregate their schools and provided guidelines on how to achieve desegregation. Individuals who were interviewed indicated that the adoption of regulations or a state statute was successful in helping both the state and local districts avoid court action. The "second phase" of helping school districts achieve the longer range objectives of desegregation through the use of regulations, technical

assistance, etc., was also viewed as successful in most cases. Also frequently mentioned was the need for specialized programs, such as compensatory education, to bring about a higher level of academic achievement in desegregating school districts.

It is interesting to note that research is demonstrating that compensatory education may be contributing substantially to achievement gains by Black students. According to a recent press release from the National Assessment of Educational Progress, headquartered at ECS, "Black 9-year-olds made a dramatic improvement [in reading skills] over the decade. Their average performance rose by 9.9 percentage points. Although still performing below the national level, Black elementary students narrowed the gap between themselves and the nation by 6.0 percentage points."

Carl Perkins, Chairman of the House Education and Labor Committee, commenting on the assessment, stated that he was "extremely encouraged by the results of this third reading assessment, in particular the significant gains for 9-year-olds from rural and disadvantaged urban areas. To me, these data strongly suggests that our federal education programs, especially Title I which is focused on elementary students from disadvantaged backgrounds, are working well."

Many of the individuals interviewed also mentioned that in the second phase of technical assistance, monitoring by the state was needed. To some extent, this need stems from the fact that resegregation does occur, sometimes as a result of changing residential patterns and sometimes as a result of practices at the

school site (i.e., suspensions, tracking, etc.). Vigilance is needed and technical assistance needs to be adapted to changing circumstances. In one state (California), workshops were conducted to address discipline issues and to point to approaches that would result in a lesser use of suspensions.

In general, then, most of those interviewed described a three-step process as being essential to successful state action:

1. The articulation of a state policy requiring school desegregation, accompanied by guidelines;
2. The provision of assistance designed to help districts assess their own legal liability and to develop effective plans, consistent with state guidelines, to meet the educational as well as legal goals of school desegregation;
3. The provision of continuing assistance designed to prevent resegregation and to continuously improve the quality of school programs and environments.

It should be noted, too, that some states have provided substantial financial incentives to districts to encourage desegregation; other states have instituted court action against districts failing to comply with state mandates (or withheld state aid). The use of sanctions was not generally viewed as effective -- at least not when compared with the three-step process outlines above. Financial incentives, however, were felt to be effective since the costs associated with desegregation are often the focal point of resentment and resistance.

What Constitutes "Success"?

Few of the individuals interviewed could point to research findings that provide insight on the successfulness of state strategies in bringing about the short- or long-term goals of

desegregation. The California state board of education has provided for an independent evaluation of its own role in encouraging desegregation but, as noted in the preceding section (the literature review) little has been done to evaluate state action in this area.

There are two measures of "success" however, that were mentioned by those interviewed. On the one hand, it is better to be a plaintiff than a defendant in court. As one person put it, "Before we adopted our regulations, we didn't have a leg to stand on in court. We lost every suit brought against us. We don't have that problem anymore." At the state as well as local levels, when the courts intervene, the freedom of education policy makers to fashion remedies can become extremely limited and the remedies fashioned may not be optimal, from an educational point of view, or cost effective.

A corollary of these kinds of success is, of course, the ability to prevent court action at the district level. Some individuals interviewed indicated that some of the impact of court action was beneficial. Others suggested that court action has either been harmful or less than cost-effective. In general, most of the individuals who addressed this issue felt that planning for desegregation under state guidelines was preferable to desegregating under court order.

The second measure of success mentioned was the number of school districts affected by state action. Any effort to assess the extent of school desegregation in the United States must be based on an estimate of how many school districts have cause to

desegregate their schools at any given point of time. The racial composition of each school must be studied to determine if racial isolation exists and, if so, if it can be corrected.

It seems probable, however, that the promulgation of state regulations and guidelines provide for a more systematic and broad-based approach to desegregation than would otherwise be the case. In most of the states included in this report, the adoption of state mandates led to an assessment at the district level of the need to correct racial isolation and, in most cases where such need was identified, to the initiation of a long-range planning process.

In the individual case histories that follow, some information is made available on the number of districts and students that have been affected by state desegregation policies and activities. The numbers are important indicators of the actual impact states can have in desegregating schools, an impact that is seldom fully recognized.

In sum, there are three kinds of success at the state level that respondents referred to: (1) the ability to avoid court action (or at least, if court action becomes necessary, to act as a plaintiff rather than a defendant); (2) provide a basis and a rationale for action that will be a catalyst for LEAs to undertake desegregation activity; and (3) assist districts with the development of a comprehensive approach to desegregation that, ultimately, will lead to improved educational achievement and a higher quality integrated educational experience for all students.

Survey Respondents

California

Wilson Riles
Superintendent of Public
Instruction

Michael Kirst
Chairman, State Board of
Education

Illinois

Justine Walhout
Member, State Board of Education
and Chair, EEO Committee

Indiana

Dallas Daniels
Equal Educational
Opportunity Director
Department of Public
Instruction

The Honorable William A. Crawford
Indiana House of Representatives

John Harrold
Director of Curriculum
Department of Public
Instruction

Massachusetts

Cecelia Rae Kipp
Former Chairperson
State Board of Education

Charles Glenn
Director, Bureau of Equal
Educational Opportunity
State Department of Education

Michael Alves
Director, Title IV Programs
State Department of Education

Michigan

Barbara Mason
Chairperson, State Board
of Education

John Dobbs
Director, Equal Educational
Opportunity Programs
Department of Education

Eugene Paslov
Deputy Superintendent
State Department of Education

Nebraska

The Honorable Gerald Coch
Chairperson, Senate Education
Committee, Nebraska Legislature

Jesse Payne
Director, Equal Educational
Opportunity Programs
State Department of Education

William Ramsey
Member, State Board of Education

Robert Bligh
Legal Counsel
State Department of Education

New Jersey

Diego Castellanos
Director, Office of Equal
Educational Opportunity
State Department of Education

North Carolina

C. R. Edwards
Member, State Board of Education

Dudley Flood
Assistant Supt. of Education
State Department of Education

North Carolina

E. B. Palmer
Associate Executive Secretary
North Carolina Association
of Educators

Frank Yeager
President, North Carolina
Association of School
Administrators

Ohio

Robert W. Evans
Associate Superintendent
Department of Public
Instruction

Rachel Tompkins
Director
Citizens Council for
Ohio Schools

Peggy Siegel
Staff Director
Joint Select Committee on
School Desegregation, Ohio
General Assembly

The Honorable M. Morris Jackson
Chairperson, Joint Select
Committee School Desegregation
Ohio General Assembly

Pennsylvania

Richard B. Anliot
Director of Education
Pennsylvania Human Relations
Committee

Conrad Jones
Director, Division of Equal
Educational Opportunity
State Department of Education

Ronald H. Lewis
Deputy Secretary and Commissioner
for Basic Education
State Department of Education

Texas

Gilbert Conoley
Director, Office of Technical
Assistance
Texas Education Agency

Joseph Price
Director of Urban Education
Texas Education Agency

Washington

Warren Burton
Director, Office for Equal
Educational Opportunity
Department of Public
Instruction

H. Eugene Hall
Member, State Board of
Education

Grant Anderson
Member, State Board of
Education

Ray Broadhead
Secretary, State Board of
Education

Wisconsin

Lee McMurrin
Superintendent, Milwaukee
Public Schools

Alan Kingston
Director of Federal Education
Programs
State Department of Education

The Thirteen States

California

The California State Department of Education conducts a biennial enrollment report based on a count of students and staff of each public school and each district or county central office. The last survey, conducted in October 1979,* showed a student population, statewide, of four million, of which 40 percent were members of racial and ethnic groups. Hispanic students comprised 23.4 percent of all students, Blacks 10 percent, Asian/Pacific Islanders 4.3 percent, and American Indians about one percent.

California's large minority population is also a growing population. In 1977, the percentage of minority students was 36.5, in 1967 it was 25 percent. The 40 percent total in 1979 is concentrated more in the early primary grades, indicating that within a few years, California's minority students may outnumber non-minorities.

Minority students are concentrated in schools serving predominantly minority students. Schools reporting predominantly minority populations serve 32 percent of all students in the state and 61 percent of all minority students. In 12 years there has been an 87 percent increase in the number of students attending schools that are 50 percent or more minority.

*The data reported from the October 1979 survey have been extracted from the report of the department to the board of education, Racial and Ethnic Distribution of Students and Staff in California Public Schools, Fall 1979. The report is available from the California Department of Education, Office of Intergroup Relations, 721 Capitol Mall, Room 634, Sacramento, CA. 95814.

Yet the state is unusual in that many of its large population of Hispanic students are thinly spread through rural areas as well as being concentrated in larger urban areas. Also, the 1979 survey indicated that the degree of isolation of Black students in schools predominantly Black has decreased. For the first time a slightly higher proportion of Hispanics (43.6 percent) than Blacks (43.0) were reported to be in schools predominantly of one minority.

The state first began its efforts to provide for a reduction in racial isolation in 1962 with the adoption of a state board policy that encouraged districts to provide for desegregated schooling. In 1963, the legislature authorized the state department of education to establish an advisory commission, primarily concerned with employment practices, and also established the Bureau of Intergroup Relations. Wilson Riles, California's Superintendent of Education, was the first director of the Bureau.

A long history of state action followed, culminating in 1977 with the adoption by the state board of regulations and guidelines. They followed closely upon a 1976 decision of the California Supreme Court (Crawford v the Board of Education of Los Angeles) and incorporated the findings and requirements of the court. The target date for achieving compliance with the

regulations was the fall of 1979, when the enrollment count was conducted by the State Department of Education.*

Michael Kirst, chairman of the state board, made note of the fact that the 1977 regulations, and the court decision upon which they are based, are derived from the requirements of the state constitution -- that indeed, state constitutions are sufficient cause for action in the area of desegregation. Although the state has no legislation requiring school desegregation, regulations do have the effect of law in California. Wilson Riles, pointed out that although desegregation regulations have been codified, such action by the legislature is not necessary in that state.

Kirst indicated that the regulations have been effective in a number of ways. For example, the state board is now acting as a plaintiff in seven suits - an interesting contrast with earlier cases where the board was named co-defendant with over 100 districts. Riles felt that the state's technical assistance activities had been effective as well, and noted that it would be difficult to bring about desegregation if there were no leadership from the state.

Nonetheless, the regulations are "soft" according to Kirst. They provide that every district must ascertain what the racial balance of each building site is and establish criteria for determining where racial isolation exists. Although the state guidelines provide alternative ways of defining racial isolation

*Op. Cit. "Racial and Ethnic Distribution of Students and Staff in California Public Schools," Fall 1979 .

Table 1
CALIFORNIA
STUDENT DATA FOR SCHOOL DISTRICTS
ADOPTING AND IMPLEMENTING DESEGREGATIONS PLANS,
FALL 1980

	<u># of Districts</u>	<u># of Hispanic Students</u>	<u># of Black Students</u>	<u># of Anglo Students</u>	<u># of Other Students</u>	<u>Total</u>
State Court Decisions (Stockton, Sequoia, San Diego, San Bernadino, Richmond, Inglewood)	6	39,806	49,182	108,979	16,600	214,567 (37%)
Federal Court Decisions (Oxnard, Pasadena, San Francisco)	3	20,012	26,432	21,067	22,732	90,243 (16%)
State Enforcement Activity	20	50,599	8,769	79,465	8,413	147,246 (25%)
Federal Enforcement Activity (Fresno)	1	13,645	5,258	27,237	1,469	47,609 (8%)
Local Initiative	7	10,217	10,007	43,696	5,147	69,067 (12%)
State Or Federal Litigation (no decision, but resulted in a plan)	3	5,666	2,172	4,082	1,010	12,930 (2%)
Total	40	139,945 (24%)	101,820 (17%)	284,526 (49%)	55,371 (10%)	581,662

As these figures indicate, the total student population affected was 581,662 of which 24 percent were Hispanic, 17 percent Black, and 49 percent Anglo. Of the total group, 62 percent were affected by state court decisions or enforcement activity, (37 percent and 25 percent respectively), while 24 percent were affected by federal court decisions or enforcement activity (16 percent and 8 percent respectively).

Sixty-two districts are now in the process of developing desegregation plans, all of these responding to state mandates. Most publicized of this group is the Los Angeles Unified School District, one of the largest districts in the nation in terms of student population and, also, large in geographic area. With over a half a million students, Los Angeles has a predominantly minority student population with 42 percent of the total Hispanic, 27 percent Anglo, and 24 percent Black.

According to Riles, L.A. is a particularly difficult district to find answers for. Because of the size of the district, student transportation costs are extremely high and, and because of demographic factors, transporting students cannot lead to significant integration between minority students and the relatively small Anglo student population. Like many others interviewed, Riles believes that the primary objectives of desegregation should be to (1) assure that every school provides a high quality education and (2) to make sure that parents perceive that the education their children receive is of high quality regardless of where they actually attend school.

The remaining 61 districts now developing desegregation plans

are responding to state regulations. Together, they have a student population of approximately 734,000, of which 53 percent are Anglo, 15 percent are Hispanic and 8 percent are Black. These schools also serve a significant Asian population of (181,365 students, or 24 percent of the total). The 61 districts and Los Angeles account for approximately one-third of the state's total student population -- 1,290,802 students of the 4 million students in the state's public school system).

Looking at the total picture then, state court decisions and enforcement activity have provided for the design and implementation of desegregation plans in 26 school districts, serving some 362,000 students. Another 62 districts, serving approximately 1.3 million students, are now responding to either state court decisions or state regulations.

Illinois

In a 1978 report on desegregation in Chicago, the following summary of the history of state action was provided:

Although many cities in the North and West are now in the midst of long judicial battles over desegregation requirements there has been very little litigation in Illinois, largely because of the unique role played by the state board of education. In all directions from Illinois, legal struggles are continuing -- in Milwaukee, Minneapolis, Indianapolis, St. Louis. In several of the major cities of Ohio and Michigan, the courts have assumed the full burden of the desegregation process.

Most districts in Illinois, however, have completed desegregation under the policies developed by the state board of education. No other state education agency has a similar record of success. Throughout the process, however, Chicago segregation has remained constant. In attempting to enforce its rule in Chicago the state board is trying to uphold its policies in the system

that contains 71 percent of minority students in the state and 91 percent of those who remain in segregated schools.

The effort dates back to the passage of the Armstrong Act by the Illinois general assembly in 1963. The act required school boards to regularly revise attendance units to help 'prevention of segregation and the elimination of separation of children in public schools because of color, race or nationality.'

The full impact of this broad positive duty to support integrated education did not become apparent until the Illinois state supreme court upheld the authority of state education officials and until those officials developed strong enforcement machinery.

The validity of the Armstrong Act was sustained a decade ago in Tometz v Board of Education, Waukegan City. The Tometz decision concluded that the legislature had legitimately granted broad powers to state education officials to spell out requirements for implementing the sweeping Armstrong provisions. In an important federal ruling, Coates v Illinois, the U.S. Court of Appeals reached the same basic conclusion, holding that the only limit on the state superintendent was the anti-busing language that had later modified the Armstrong Act.*

Of Illinois' 1,042 districts, only 105 have sufficient minority populations to develop desegregation plans. Of those 105 districts, 54 have consistently provided for desegregation leaving 51 that were found in violation of state guidelines when those guidelines were first promulgated in 1973. The guidelines established a standard that required districts to desegregate if one or more school sites varied by more than 15 percent from the demographic characteristics of the district as a whole.

*Integration in Chicago: A Report to the Illinois State Board of Education, Technical Assistance Committee on the Chicago Desegregation Plan (Gary Orfield, Chairperson), May 11, 1978, pp. 1-2.

Since the standards were published, all but 3 of the 51 districts have desegregated. Five additional districts are being challenged in state courts, however, and 12 have received partial exemptions due to exceptional circumstances. Chicago, with its nearly half a million students, is one of the three districts that has yet to desegregate -- although, according to Dr. Justine Walhout, chairperson of the state board's EEO committee, some reduction of racial isolation has been achieved (see Tables 2 and 3).

According to Dr. Walhout, the major strategy used by the state has been technical assistance. The technical assistance program has been comprehensive and is similar to other technical assistance programs funded under Title IV of the Civil Rights Act. In addition to helping districts with planning, pupil assignment, etc., the SEA has also provided assistance in adjusting school boundaries as required by the Armstrong Act. No state funds have been made available for desegregation but, conversely, financial sanctions have also not been used. (In Chicago, federal funds have been withheld, but the state board has placed the district on probationary status rather than resorting to financial sanctions.) The fact that the state board has been a strong supporter of desegregation is another factor contributing to the success of the state on working with districts.

Table 2
ILLINOIS
STUDENT DATA FOR SCHOOL DISTRICTS
ADOPTING AND IMPLEMENTING DESEGREGATION PLANS,
FALL 1980

	<u># of Districts</u>	<u># of Hispanic Students</u>	<u># of Black Students</u>	<u># of Anglo Students</u>	<u># of Other Students</u>	<u># of Asian Students</u>	<u>Total</u>
State Court Decisions South Holland, Springfield	2	45	3,755	12,458	10	183	16,451 (61)
State Enforcement Alton, Cahokia, Blue Island	3	635	4,083	12,816	20	50	17,612 (61)
Federal Enforcement Joliet	1	1,355	3,478	3,983	11	132	8,959 (31)
Local Initiative	16	1,316	20,514	54,871	72	1,235	78,008 (261)
Combination State & Local Initiative	14	2,205	11,476	35,014	58	626	49,379 (171)
Other State Enforcement	12	8,008	42,443	73,458	263	1,915	126,087 (431)
Total	48	13,564 (51)	85,749 (291)	192,600 (641)	434	4,149 (11)	296,496

Table 3
STUDENT DATA FOR SCHOOL DISTRICTS
IN THE PROCESS OF DEVELOPING DESEGREGATION PLANS,
FALL 1980

	<u>1 of Districts</u>	<u>1 of Hispanic Students</u>	<u>1 of Black Students</u>	<u>1 of Anglo Students</u>	<u>1 of Other Students</u>	<u>1 of Asian Students</u>	<u>Total</u>
State Enforcement Activities	2	997	10,399	23,198	0	276	34,870 (7%)
Combination Chicago Federal Court Decision and State Enforcement	1	81,948	289,920	95,513	748	9,210	477,339 (93%)
Total	3	82,945 (16%)	300,319 (5%)	118,711 (23%)	756	9,486 (2%)	512,217

Indiana

Desegregation in Indiana has been greatly influenced by federal court action. With a minority population of approximately 11 percent, largely concentrated in the state's urban areas, desegregation activity has been more limited and focused than it has been in some states. Of 305 districts, only 5 have desegregated, two in response to federal court action (Indianapolis and Evansville), one in response to state initiatives (Richmond), and two as the result of local initiatives (Pike and Washington Townships). Two others are in the process of developing desegregation plans, one in response to federal enforcement activity (South Bend), the other in response to state initiatives (Elkhart).

Indiana has a long history of de jure segregation. In a recent decision of the seventh circuit court, (April 25, 1980), the following paragraph appears:

...Indiana has had a long history of both public and private discrimination against its Black citizens. This history has been described at length in earlier opinions and will not be repeated here, but ranged from state legislation which affirmatively sanctioned the de jure segregation [in] the Indianapolis public schools until 1949 to numerous instances of private housing discrimination, some of which are still being openly practiced past the date suit was filed. Other official acts of discrimination included a prohibition on marriage across racial lines, not repealed until 1965; a requirement that only white males could serve in the militia, finally repealed in 1936; and a policy enforced until after World War II that Blacks could enter state parks on a segregated basis. The state was also implicated in the deliberate series of segregation practices by [Indianapolis Public Schools], particularly with regard to its role in the selection of sites for new schools....

These factors were taken into consideration by the court in reaffirming a lower court decision, handed down in 1973, which found the state guilty of perpetuating a racially segregated school system. The basis for the finding was the passage of a state law consolidating Indianapolis and adjoining Marion County with the simultaneous repeal of legislation making school district boundaries coterminous with political boundaries. The court has ordered the state to assist in desegregating the schools and to pay for part of the costs (in particular, for all inservice training programs), and has ordered an interdistrict remedy.

An interesting example of the long time needed to achieve results through court action is the fact that this suit was initiated in 1968 and that the Indianapolis schools were not desegregated until the fall of 1980 (as the students who entered first grade in 1968 graduated from high school). Interdistrict desegregation is scheduled to begin in the fall of 1981 and, throughout the entire period, litigation has been ongoing.

On a more positive note, the state legislature responded to the 1973 decision with the enactment of PL 218, which provides that the prevention and elimination of segregated schools is a state policy and prohibits both pupil and teacher segregation. The law grants authority to eliminate segregation, regardless of cause and authorizes the redrawing of school boundaries and curriculum revision. Enforcement power, however, has been assigned to the Indiana Civil Rights Commission rather than the state education agency.

The role of the SEA has been largely confined to technical assistance. In general, technical assistance includes information on the legal responsibility of LEAs to provide for desegregation and, also, provides a comprehensive approach to planning for desegregation that emphasizes the need for widespread community involvement. Some of the major components of the technical assistance program are testing (avoidance of bias), the design of a course of study for magnet schools, the development of a multicultural education program, the impact of staff expectations on student achievement, and evaluation approaches and techniques. The technical assistance program is supported by federal funds under Title IV of the Civil Rights Act.

A major tool of the SEA in reducing racial isolation has been the use of the "B-1" process. This process gives the state office of equal educational opportunity authority to prevent school construction or modification that would lead to an increase in racial isolation. According to Dallas Daniels, director of the state EEO office, the use of the B-1 process has been highly effective in reducing racial isolation in the state.

The SEA has also emphasized the development of textbook selection criteria that are consistent with developing multicultural education programs. John Harrold, the department's director of curriculum, emphasized that this initiative was undertaken on an interagency basis within the SEA and that it had provided for extensive teacher involvement in the review and evaluation of textbooks. As a result, there is a far greater understanding, statewide, of the need to select non-discriminatory

textbooks and learning materials.

State Representative William Crawford was, in general, critical of the state's role in bringing about desegregation. He indicated that the state had made only "token efforts" in this area and that a greater level of leadership was needed if the broader objectives of equal educational opportunity were to be realized. He also, however, emphasized the need for local initiative and commended those districts that had demonstrated the leadership needed to bring about effective approaches to desegregation.

Dallas Daniels concurred, pointing specifically to the progress being made in South Bend. He felt that the technical assistance program had been instrumental there in furthering local initiatives and pointed to the fact that substantial progress had been made in a relatively short period of time -- at least when contrasted with the situation in Indianapolis. In general, Daniels felt that the technical assistance initiative combined with the B-1 review process had been effective in many important ways, but agreed that state efforts were largely overshadowed by federal initiatives. Educational quality was mentioned as the most important agenda for the future, including efforts to change attitudes as well as practices.

Massachusetts

The state became active in desegregation in 1965, with the enactment of the Racial Imbalance Law. In the same year, the state board of education was strengthened and, in 1966, the

board's first order of business was to implement the provision of the new law.

According to former state board chair, Cecilia Rae Kipp, the strength and the weakness of the new law was that it provided for a voluntary approach to desegregation. While most districts did indeed develop and implement voluntary plans in subsequent years, there were two that did not (Springfield and Boston). In 1971, the board initiated proceedings in the state courts, and Springfield then began the process of planning for desegregation. According to Michael Alves, director of the state Title IV program, Springfield can be listed among those districts that have successfully desegregated their schools.

The history of Boston, however, was one of strong resistance to desegregation and one that has been widely discussed elsewhere. It should be noted, however, that the state board did play a strong and active role in dealing with the Boston crisis. When in 1974, Judge Garrity handed down his decision, it upheld the decision of the Massachusetts Supreme Court which required that the desegregation plan developed by the state board of education for Boston be implemented. Judge Garrity also recognized the efforts of the state board of education in bringing about the desegregation of Boston's schools under their own authority.

The state is currently providing approximately \$24 million annually to help meet the costs of desegregation including transportation costs, costs of magnet schools, the voluntary inter-district desegregation effort in the Boston area (METCO), and technical assistance (which includes a variety of activities

including inservice training, planning, etc.)). In addition, the state education agency continuously monitors districts to prevent resegregation from occurring.

According to Charles Glenn, director of the bureau of equal educational opportunity in the state department of education, there are numerous extremely positive developments across the state that are a direct response to planning for desegregation. In New Bedford, for example, a magnet program has been established for gifted and talented students that includes a bilingual program and staff for limited-English-proficient students. The program is designed to help prevent racial isolation but, also, to prevent the isolation of the gifted/talented student while providing a very high quality education program.

According to both Glenn and Alves, continuing vigilance is an ongoing necessity if equality of educational opportunity is to be realized and if it is to be fully institutionalized. There is a continuing need to review with district superintendents those changing circumstances (i.e., declining enrollments, changing residential or demographic patterns, etc.) that can once again lead to racial isolation, and to encourage the district to assume responsibility for addressing those circumstances.

Nor is the job of desegregation complete in Massachusetts. Both respondents reported concerns related to discrimination on the basis of sex (particularly in vocational education) and registered concern about meeting the needs of Hispanic students in desegregated settings. Concern was also expressed about enhancing the quality of education and restoring public confidence in the

educational program offered by the schools. Both respondents felt that a great deal yet remained to be done.

According to Alves, desegregation, if viewed in the broader sense of involving more than the transportation of students to achieve racial balance, is an ongoing process that requires consummate skill on the part of the staff of the state education agency. On the one hand, there is a need for knowledgeable staff members who can advise local officials of their legal responsibilities in a way that prevents resistance from developing. At the same time, staff members must also be able to provide real and substantive assistance in helping local officials meet their legal responsibilities in effective ways and in ways that will be responsive to community concerns. Alves also stressed the need for commitment, on the part of staff, to stay with their jobs long enough to develop needed expertise and to assure overall continuity in state/local relationships.

While all respondents indicated that the state law was important to their efforts, both Alves and Glenn emphasized that state education agencies can advise local officials of their legal responsibilities under the fourteenth amendment of the Constitution and help them make wise day-to-day decisions that will help prevent racial imbalances from developing.

Has Massachusetts been successful? In the sense that the state has been able to meet its legal responsibilities, yes. Further, respondents indicated that both desegregation, and the "spin-offs" of desegregation, had been successful -- that the quality as well as the equity of education in the state had

improved. It was clear, however, that after 15 years of continuous, aggressive action that "success" is relative. The idea of equality is elusive, constantly subject to redefinition as circumstances change, and never achieved, as Alves expressed, "in one brilliant, dramatic burst of activity."

Michigan

In Michigan, state involvement in desegregation began in the late 60's with court suits that named the state as a co-defendant with several segregated school districts. The court ordered the districts to desegregate and also ordered that desegregation plans include comprehensive educational components to be paid for by the state. In Detroit, the plan provided for an intensive remedial reading program and for the Detroit Objective Referenced Test (DORT), which has resulted in sharp gains in reading there.

Other spin-offs of court ordered desegregation have included an advanced accountability system for teachers and administrators (Kalamazoo), a highly successful approach to involving parents in the planning process (Lansing), and an excellent approach to reducing racial isolation (Pontiac). According to John Dobbs, state director of equal educational opportunity programs, the districts that have desegregated under court order in Michigan provide successful models that other desegregating districts could learn from. Barbara Mason, chair of the state board of education and a long-time official of the state chapter of the National Education Association, pointed to the positive role that was played by the state and local unions, both in desegregation

planning activities and in urging the court to mandate education components for desegregation plans.

The role of the state, however, has not been limited to paying for the education components of court ordered plans. In 1970, the board issued a joint statement with the Michigan Commission on Civil Rights that was supportive of desegregation. In 1977, the board adopted "guidelines for achieving integrated education in their school districts."

The primary objective of the guidelines is to upgrade the quality of education in Michigan. The guidelines include achievement standards and an assessment program is required. According to Mason, most districts have not met the state's achievement standards, but have shown substantial improvement. (Detroit is particularly noteworthy in this respect.)

The guidelines also require the reduction of racial isolation and provide a percentage formula for determining when racial isolation exists. The state department of education has developed a "profile" for districts to use to determine how well integration has been achieved, including criteria concerned with integrated staffing, multicultural education, etc.

To date, 25 districts have been found to be racially imbalanced under the provisions of the guidelines and most have responded positively to that finding. Only two have not begun the process of developing plans to reduce racial isolation although six have requested and received exemptions (and two more requests are under consideration). Exemptions are granted to districts that develop plans to meet state achievement standards and

indicate that there is a need to postpone efforts to reduce racial isolation until achievement levels have been improved. The exemptions are temporary and progress must be made in accordance with the district's plan for meeting achievement standards.

The inability to enforce the guidelines is viewed as problematic. At present, districts that do not comply are reported to the Michigan Commission for Civil Rights, but there has been no strong enforcement action taken by the Commission. The guidelines, however, put the state in the position of having assumed its legal responsibility for desegregating the schools. Prior to the adoption of the guidelines, the board lost every suit in which it was involved.

Michigan has developed a somewhat unique approach to desegregation, perhaps because of its relatively recent (1977) adoption of guidelines. Emphasizing "integrated" education and student achievement, as well as showing strong support for multicultural education, the state has shifted the focus from desegregation to educational quality and integrated education. The state board's 37 member advisory council on multicultural education has been instrumental in helping shape policies that emphasize outcomes as well as being responsive to technical legal requirements.

The guidelines, although relatively new and voluntary, are viewed as highly successful. Financial problems were perceived as serious as was the need to find a more effective approach to addressing Detroit's desegregation problems. (Note: The Detroit situation appears to be somewhat analogous to that of Los Angeles

-- student transportation is expensive and, given the demographics of the area, largely ineffective in reducing racial isolation. However, Detroit may be able to achieve effective integration through inter-district transfers, which is currently under discussion. The primary problem, from the point of view of the state, will be that of meeting additional transportation costs.)

As Tables 4 and 5 indicate, the state is now working with the majority of those districts that have been found out of compliance with state guidelines, (including those affected by court orders.)

Nebraska

Nebraska offers some interesting contrasts with other states discussed in this report. On the one hand, state government in Nebraska has traditionally been low-key, with a variety of constitutional and statutory constraints effectively precluding a more active stance. The state is second only to Texas in the number of school districts that exist (over 1100), with over sixty districts having no students at all and, therefore, no education costs. In some districts there are more school board members than teachers.

Less than one percent of the total population of the state consists of minorities and Omaha is one of very few districts where the minority population is sufficient to make segregated schools possible. Omaha, with slightly over 25 percent of its student population minority (11,311 Blacks and 1,016 Hispanics out of a total of 44,719 students), was ordered to desegregate its

Table 4
Michigan
STUDENT DATA FOR SCHOOL DISTRICTS
ADOPTING AND IMPLEMENTING DESEGREGATION PLANS,
FALL 1980

	<u># of Districts</u>	<u># of Hispanic Students</u>	<u># of Black Students</u>	<u># of Anglo Students</u>	<u># of Other Students</u>	<u># of Asian Students</u>	<u>Total</u>
Federal Court Decisions Detroit, Grand Rapids, Kalamazoo, Pontiac Ferndale, Flint	6	7,366	225,816	82,587	999	1,400	310,168 (96%)
State Enforcement Activity	1	167	941	1,601	2		2,711 (1%)
Local Initiative	3	226	2,983	7,780	51	68	11,108 (3%)
Total	10	7,759 (2%)	229,740 (69%)	91,968 (28%)	1,052	1,468	331,987

Table 5
STUDENT DATA FOR SCHOOL DISTRICTS
IN THE PROCESS OF DEVELOPING DESEGREGATION PLANS,
FALL 1980

	<u># of Districts</u>	<u># of Hispanic Students</u>	<u># of Black Students</u>	<u># of Anglo Students</u>	<u># of Other Students</u>	<u># of Asian Students</u>	<u>Total</u>
Federal Court Decisions	1	25	7,379	2,107	37	16	9,564 (10%)
State Enforcement Activity	14	2,684	23,330	59,908	1,590	1,105	87,617 (90%)
Total	15	2,709 (3%)	30,709 (32%)	61,015 (63%)	1,627 (2%)	1,121 (1%)	97,181

schools in 1975. In addition, a dual system operating on the Winnebago reservation has desegregated and the Lincoln school system has taken preventive measures to keep segregation from developing there.

Desegregation is viewed by most as a problem unique to Omaha and Omaha has been successful in planning and implementing its desegregation program. Although Senator Gerald Coch has authored legislation to help meet the transportation costs resulting from desegregation in Omaha, which was enacted as a part of the state aid program, the state has not been a major contributor to the desegregation process. The resources of the Omaha school system are substantial when contrasted with those of the state department of education, so that technical assistance from the state only supplements local capabilities.

The state department has, however, provided substantial assistance to school districts, particularly those with smaller resources and small concentrations of minority students. Technical assistance is preventive in nature and an emphasis is placed on multicultural education. According to Jesse Payne, EEO director for the state department of education, desegregation costs are a continuing concern for Omaha and the rest of the state, complicated by state-imposed (and district-imposed) spending levels. Then too, organizations representing a variety of minority groups (Indian, Hispanics and Blacks), continue to voice concerns about the impact of desegregation in Omaha.

In spite of their relatively modest role, the state board and

the state department of education have furthered efforts to improve equal educational opportunity through the adoption of official state policies as well as through technical assistance. Firm and consistent support have helped to create a climate favorable to desegregation across the state -- a contribution that is generally recognized as being an important contributor in bringing about successful desegregation. Legislative support has also, of course, been instrumental in facilitating desegregation (in Omaha).

In a sense, however, the story of desegregation in Nebraska is Omaha's story. Those interviewed unfailingly expressed their support for, and pride in, the accomplishments of the schools and the citizens of Omaha. William Ramsey, an Omaha resident and member of the state board of education, pointed to rising achievement scores across the state and added that Omaha was also above national averages. Robert Bligh, legal counsel for the department of education, emphasized the positive role played by the citizens of Omaha in making desegregation work, as did Senator Coch. In short, "the jury is still out" with respect to desegregation in Nebraska. Omaha's successes, and the supportive role played by the department of education, may prevent any further significant concerns from developing there given the demographic composition of the state. Most of those interviewed, however optimistic, also expressed a "wait and see" attitude.

New Jersey

New Jersey has a "long standing and vigorous"

anti-discrimination policy (Booker v Board of Education, Plainfield), beginning with an 1881 law prohibiting discrimination in the schools. The present (1947) constitution and statutes support this commitment as do a strong state board policy and SEA guidelines.

The state has been successful in bringing about racial desegregation in a large number of districts with less reliance upon the courts than in many other states. In part this has occurred because orders of the New Jersey commissioner of education carry the force of law. Decisions rendered by the commissioner may be overturned by the state board of education or state courts, making commissioner review and decision-making the first step in the state's judicial process in education matters. The unique powers of the commissioner have been authorized by statutes, defined by regulations and clarified and affirmed by the courts.

Of the state's 590 operational school districts, 98 have developed and implemented desegregation plans. Of the 98, only one resulted from federal enforcement activity, while 5 resulted from local initiative and 92 from state enforcement activity. The state EEO office is working with another 32 districts, of which 5 are desegregating voluntarily. Another 3 districts showing significant racial balance have yet to desegregate. All districts are reviewed annually to determine if racial imbalance have developed and if so, such districts are notified accordingly.

The major components of the state's approach to desegregation, in addition to continuous monitoring, have been a

comprehensive technical assistance program and, in some cases, the use of sanctions. Districts can be ordered by the commissioner to appear before the state's administrative law judge to show cause why corrective action should not be taken against them. In this judicial proceeding, the LEA is defended by its attorneys while the SEA is represented by the state attorney general. The decision of the judge may be affirmed, modified or rejected by the commissioner who also has the authority to withhold state aid. In one extreme case (Trenton), the commissioner abrogated local board authority and assumed responsibility for the schools.

The commitment of the board, the commissioner and the staff of the state's EEO office have all been important factors in furthering desegregation in New Jersey. Also important is the tying of desegregation technical assistance with ongoing efforts to improve schools. As noted earlier, the state requires LEAs to develop plans around a variety of broadly stated goals. They include: (1) provision of an equal educational opportunity; (2) pupil reassignment planning; (3) inservice training for staff; (4) planning to meet the needs of limited-English-proficient student; (5) affirmative action (6) community involvement; and (7) curriculum improvement.

The office of equal educational opportunity provides technical assistance on all fronts, stressing the need to improve the environment of the classroom and the need to improve the effectiveness of the human resources within it (teachers, students, administrators, counselors, etc.). The state has furthered these objectives through a variety of initiatives,

varying from the "training-of-trainers" to techniques for teaching limited-English-proficient students, to the highly successful PEER program, which trains students to be effective leaders in the overall effort to improve their schools.

According to Diego Castellanos, director of New Jersey's office of equal educational opportunity, a number of challenges remain to be met. Foremost among these is the need to adopt a tri-ethnic approach to desegregation due to the large and growing Hispanic population. Additional funding is also needed, from both state and federal sources. Finally, Castellanos indicated that a need exists to provide a greater regionalization of the SEA offices (which are county offices) in the state's major urban areas.

North Carolina

Frank Yeager, president of the North Carolina Association of School Administrators, provided an important perspective often overlooked in the interview process. "The state," he said, "just isn't the major player in this game. The locality is responsible for desegregation; it must provide the leadership and assume full responsibility if the effort is to be successful."

Interestingly, however, Yeager and others interviewed in North Carolina, had unqualified praise for the high-quality technical assistance effort provided by the state department of education. Dudley Flood, assistant superintendent of education and long-time director of the technical assistance effort, explained the rationale: "The one thing we learned was that the

community has to have ownership and their own institutions have to be used."

Those interviewed indicated that the North Carolina state officials had sought and received support from state professional organizations representing teachers and administrators. Further, the professional organizations have contributed substantially to the achievement of desegregation goals. E.B. Palmer, associate executive secretary of the North Carolina Association of Education (the state affiliate of the National Education Association), listed some of the contributions of that organization: "We have worked with the national headquarters (of the NEA) to draw up guidelines for school desegregation and disseminated them to all districts; we have brought suits in behalf of minority teachers with the NAACP legal defense fund; we provide staff assistance to any school district that wants to address teacher-related issues; and we are currently drafting a model affirmative action policy that we will disseminate to districts."

Other kinds of supportive actions were also mentioned. Dr. C.R. Edwards, a member of the state board of education, referred to the state-funded compensatory education program as instrumental in improving equal educational opportunity for low-income children. He also mentioned the role of the state textbook commission which "has contributed a great deal by scrutinizing textbooks to assure that minorities receive more objective treatment and a more prominent place." Also frequently mentioned was the supportive role played by the human rights commission located in the governor's office.

How successful has desegregation been in North Carolina? Technically all 144 districts have desegregated and, after some initial avoidance and/or resistance, the process seems to have unfolded smoothly. At the state level, the story appears to be much the same. After some initial avoidance by the state legislature, and a later court suit, the role of the state has been generally positive. Strong leadership has been provided by state superintendent Craig Phillips since 1969.

Concerns were mentioned, as they were nationwide, about the need to improve the quality of schooling, to combat stereotyping and to provide for more representative staffing in schools through affirmative action procedures. In North Carolina, a number of those interviewed placed a heavy emphasis on the need for more compensatory education programs for low-income children, but were not unique (nationwide) in stating that problems related to desegregation are much more a function of disadvantage than of race.

Most of those interviewed agreed that the state had been highly successful in furthering desegregation, in spite of the strong emphasis in North Carolina on local responsibility. As Frank Yeager explained: "The department of education has set the tone all across the state and technical assistance, as the department has provided it, has helped local planners learn to set up a process without weakening the sense of local ownership in that process. The high quality of the people providing that assistance, their expertise, understanding and sensitivity, is what made it work. When technical assistance is provided in that

way, it's a successful approach and the best approach a state can take."

Ohio

The history of desegregation in Ohio has been heavily influenced by the courts. By 1978, six of seven of Ohio's major urban areas were involved in desegregation suits, with the state board of education a co-defendant in the Cleveland, Columbus and Cincinnati suits. The Federal Office for Civil Rights has also been active. The unusually high degree of federal action is attributed in part to the demography of the state.

Some states have fairly homogenous populations. Other states have sizable minority populations, but located in only one or two urban areas. Ohio's geographical make-up is different. We have more urban centers than any other state, except possibly California. These include the large metropolitan areas, but also the smaller and medium-sized communities surrounded by farmlands. Minority students can be found in city, local and exempted village school districts in nearly all parts of the state.*

In part, however, court action resulted from official action on the part of state and local officials that served to perpetuate segregated schools. In the process of reviewing the Ohio desegregation decisions of the Sixth Circuit, particularly the Dayton decision, the U.S. Supreme Court has addressed the issue of "segregative intent." In a July 2, 1979, decision, the Court posed some new challenges for determining an appropriate remedy

*Report and Recommendations of the Joint Select Committee on School Desegregation to the Ohio General Assembly, December 1978, p. 3.

for intentional segregation, but many lower courts (and public officials) have concluded that a need does exist to take affirmative steps to eliminate racial imbalances. The guidelines developed by the state board of education summarize the decision as follows:

The existence of residential segregation was not regarded by the courts in Columbus and Dayton II as a legal excuse for the failure of those districts to desegregate their schools. The Supreme Court held that the failure of a district to eliminate racial imbalances could be considered evidence of its segregative intent. It approved the lower courts' findings concerning the existence of such intent, and it affirmed the Sixth Circuit's mandate of systemwide racial balances in all schools of those districts.

While Columbus and Dayton II both dealt with districts which were found guilty of intentional segregation of a portion of their pupil population in 1954, the decisions imply the existence of something approaching an affirmative duty to alleviate racial concentrations in districts without a history of prior unlawful segregation....*

The response to court action in Ohio has been unique in that it has been the state legislature that has assumed a strong leadership role in encouraging school desegregation. In 1978, a bipartisan joint legislative committee gave unanimous approval to a report containing extensive, detailed recommendations designed to reduce racial isolation in schools across the state. The report and recommendations were based on hearings that involved

*Equal Education Opportunity in Ohio Schools: A Guide for School Districts on Constitutional Provisions, Assessment Procedures and Minority Activities Pertaining to Racial Isolation, State Board of Education, March 1980.

many Ohio citizens, groups and organizations. Not all of the legislative action, however, survived gubernatorial veto.

Among the more significant actions taken by the legislature is an annual appropriation for grants to school districts undertaking voluntary desegregation programs. The grants were not to exceed \$400 per student involved in the program but, as the number of students involved has steadily increased, and funding levels have decreased, the per pupil amount has declined (to approximately \$35 per student in FY 80). All of the individuals interviewed expressed strong concern that Ohio's current fiscal situation might lead to cutbacks in the level of support for the grant program, which was viewed as a highly effective state strategy.

In addition, the legislature has supported a technical assistance program that was also viewed as effective by those interviewed. Also successful was the hiring, in 1968, of an assistant superintendent for urban education, an innovation that furthered the ability of the department to address, rather comprehensively, desegregation and desegregation-related issues.

The state board has also been a positive force in bringing about desegregation. After issuing a policy statement in 1968, (and providing for the hiring of an assistant superintendent of urban education, as noted above), the board remained largely inactive until 1978 when the SEA was required by the state board to (1) prepare an analysis of evolving case law, (2) design an assessment instrument to identify discriminatory practices, and (3) develop a plan to monitor schools that would result in the

identification and correction of segregation (or segregative practices). On the basis of these activities, the SEA developed a set of guidelines which were unanimously adopted by the state board in 1980.

The guidelines, which will affect about 55 of the state's 615 districts, provide for the cutting off of state funds to offending school districts, subject to the approval of state controlling board (an oversight agency within the state legislature). Districts are given maximum freedom, however, to evaluate their own needs and to develop an appropriate remedy with, of course, assistance from the SEA if requested. Variations in attendance of more than 15 percent of district averages are suggested in the guidelines as cause for taking action. The implementation of the guidelines is relatively recent and little comment was made about them by the individuals who were interviewed.

The interrelationship between housing and school segregation has been an ongoing concern of the legislature and also of the Citizens' Council for Ohio Schools, which has played an active role in influencing state desegregation policy development. Although several other states (for example, Indiana) have attempted to encourage residential integration as a means of bringing about integration in the schools, Ohio has placed a heavier emphasis on coordinating the two than most. Several of those interviewed indicated that this interest should be strengthened in the future, along with a greater emphasis on improving educational quality. Again, however, the primary concern for the future that was expressed was the need to maintain

ongoing efforts in the face of a deteriorating economic setting.

Pennsylvania

Responsibility for bringing about school desegregation is shared, in Pennsylvania, between the state department of education and the Pennsylvania Human Relations Commission, (PHRC). It's authority to combat racial discrimination in public school settings, as places of public accommodation, has been upheld by the state supreme court.

According to those interviewed, the two agencies have worked out a satisfactory and efficient approach to school desegregation. On the one hand, the state department of education provides continuing assistance to districts around the development of "school improvement plans," which must also provide for racial balance at individual school sites. If minority enrollment at a school site should exceed 50 percent, the fact is reported to PHRC which then advises the district, in a letter jointly signed by the state superintendent of education, of the need to develop a plan for desegregating schools. The state department of education follows up with technical assistance sufficient to insure that the plan meets PHRC-established criteria and acts as a "friend in court" to the district when the plan is presented to the Commission for approval.

According to Richard Anliot, education director for PHRC, the arrangement is beneficial because the monitoring, data collection and technical assistance functions fall to the state department of education while the enforcement function is a responsibility of

PHRC. Conrad Jones, Director of the Equal Educational Opportunity division in the state department of education, agreed with that assessment, but also indicated that technical assistance can be very helpful in preventing court action or other enforcement strategies from being necessary. (Interestingly, there has been no federal court or enforcement activity in Pennsylvania). To some extent, the ability to persuade local officials that they cannot win their case in court is instrumental in bringing about a rapid and effective response to a mandate to desegregate their schools.

Pennsylvania is also well past the initial stages of desegregation where the primary concern is with the development of plans solely to improve racial balance. According to Ronald Lewis, deputy commissioner for basic education, technical assistance is now organized around improving the quality of the instructional program and the education environment, with a heavy emphasis being placed on inservice training for teachers. Both Jones and Lewis stressed the importance of teacher expectations (for the disadvantaged student), and the need to insure that schools provide a program and environment that more nearly equalizes educational outcomes (i.e., achievement scores).

Those interviewed agreed that the state had been effective in bringing about desegregation. Of the 28 districts that have, since 1968, received requests to desegregate, 23 have complied. Of the five that are still in the process of developing acceptable desegregation plans, only three have presented serious problems resulting in state court action (but Pittsburgh and Philadelphia,

the two largest districts in the state, are involved). Although planning in these five districts has, in some cases, been extremely slow, and although there continues to be serious concern about the progress being made in Philadelphia, those interviewed indicated that the hard work has been done in Pennsylvania. Further, there was general agreement that support for desegregation in most communities is substantial and that there has been very minimal resistance to school desegregation across the state.

As with other states, Pennsylvania officials felt that there was a great deal yet to be done. Concern was expressed about Hispanic students in desegregating districts (those in need of bilingual education programs), and the need to insure that very small groups of minority children were not so widely dispersed as to lose all contact with each other. There was also concern expressed that black communities might be bearing a disproportionate burden of the impact of school desegregation and that the closing of neighborhood schools in black communities (to enhance desegregation efforts) was harmful since they are often important community centers in black neighborhoods.

However, the overriding concern was that monitoring and technical assistance need to lead to increasingly more effective and responsive school experiences for students. According to Jones, the department of education is increasingly developing sophisticated technical assistance packages that incorporate both ideas and specific techniques for implementing those ideas. The response to the packets has been enthusiastic but, still, Jones

believes that there is a need to find out more about the problems that exist in desegregated settings.

Dr. Anliot also pointed to the growing ability of local planners to respond to state mandates and the need to strengthen their ability to do so. In Pennsylvania, planning at the local level is mandated -- and planning for desegregation is just one element of comprehensive "school improvement" planning which consists of eleven recommended components specified by the state board of education. In sum, those interviewed tended to agree that the long-range goals of desegregation were integrally associated with successful planning efforts at the school district level.

Texas

Texas is another state, (like Ohio), where desegregation has been shaped by extensive federal court and enforcement action. The Texas Education Agency first began providing technical assistance in 1968, but state efforts did not forestall a strong federal role. In 1971, Civil Action #5281 resulted from a federal court order (U.S. v Texas), requiring the state to monitor pupil and faculty assignment practices, extracurricular activities and transportation.

The mandated process provided for sanctions. LEA's that fail to comply can lose both accreditation and funds and, as a result, desegregation has been largely accomplished statewide. Both Gilbert Conoly, EEO director for Texas, and education program director Joe Price, indicated that desegregation in Texas' 1,100

plus school districts is past history.

Two of the strategies mentioned as successful in bringing about desegregation were: (1) a major effort to consolidate schools; and (2) the elimination of school boundaries. School consolidation (paired schools), have resulted in less opposition from communities and provide for full student integration as well.

It was also noted that state monitoring of extracurricular activities has been a successful approach to furthering integration and there has been an emphasis on encouraging public participation in planning and implementing desegregation, at both the state and local levels. However, Joe Price warned that any of these strategies has limitations and that flexibility and responsiveness are important. He expressed some concern about placing too much emphasis on substituting "good techniques" for a thoughtful response to the varying conditions that exist at the local level.

In Texas, desegregation has not improved academic achievement. Test scores have declined, statewide, and minority students continue to lag behind non-minority students. Conoly pointed to the need to concentrate on curriculum improvement and school effectiveness in the future. Both Conoly and Price suggested that an emphasis must now be placed on student needs and that preoccupation with desegregation must be replaced with the concept of integrated education. Both also referred to the urgent need in Texas to respond to the needs of the limited-English-proficient student and commented on the shortage of bilingual teachers.

In evaluating the states' role in bringing about desegregation in Texas, it was concluded that both state and local officials were dependent on federal assistance and reacting to federal mandates. Of the state's 1,100 districts, 46 have been affected by federal court action and another 5 are also under litigation in federal courts. Approximately 75 districts have desegregated under federal enforcement action while some 1,050 districts have responded to state enforcement activity (or are in the process of doing so). State actions, however, is also a response to a federal court decision as noted above, (Civil Action No. 5281). Only 150 districts have desegregated on a voluntary basis with no state or federal mandate.

Washington

Planning for desegregation in Washington state is blended into an intensive effort to provide for both educational reform and school finance reform. In addition to comprehensive new legislation, regulations and guidelines, the state has also assumed responsibility for the majority of education costs. (According to Grant Anderson, member of the state board of education, the state is now funding 80-90 percent of the costs of education).

Interestingly, however, the state board of education is elected by local boards of education with the exception of the president, who is also the state superintendent of education, and who runs at large statewide. Thus, though the state is the strong fiscal partner in Washington, local boards determine the

composition of the state's governance structure, (i.e., the state board).

In terms of desegregation efforts, the state board/department of education works closely with the Washington State Human Rights Commission, which is appointed by the governor and which is located within the governor's office. The commission has enforcement authority for civil rights mandates including those relevant to places of public accommodation (e.g., the public schools).

The state has a small minority population, and that is relatively mixed - with Black and Asian students each constituting less than three percent of the total student population, while Indian and Hispanic students each comprise approximately 2.5 percent of the total. Washington's Asian population is one of the three largest concentrations in the United States. Thus, of the over 300 districts in the state, the department of education has found only 28 affected by racial isolation,* and only 11 have been sufficiently affected to undertake comprehensive planning for desegregation. In all cases, desegregation planning has been the result of state and local initiative.

Those interviewed felt that, statewide, an effective effort

*According to Warren Burton, State EEO Director, racial isolation is also a problem in some 15 districts that are isolated rural districts in close proximity to Indian schools.

had been made to further desegregation where it was needed although concern was expressed about Seattle. Seattle adopted a voluntary desegregation plans but, due in part to geographic factors, busing became controversial there. A recent statewide initiative to ban busing (in Seattle) passed overwhelmingly but was found by the ninth federal district court to be unconstitutional. Similarly, a recent decision of the appellate court upheld Seattle's busing plan.

Other than Seattle, there appears to have been little controversy over desegregation. The individuals interviewed felt that the broader goals of desegregation had not been realized and that much remained to be done but that, clearly, substantial progress had been made. Tacoma was frequently mentioned as an example of successful desegregation.

In terms of the state's role, the approval of funds for school construction was felt to be the most important incentive for encouraging desegregation. Technical assistance was regarded as central to the state's role and those interviewed indicated that the assistance provided by the department of education was extremely effective. The far-sightedness and commitment of the state board and superintendent of education was also cited as being of great importance. Regulations, though not as frequently mentioned, were also cited as important to successful action. (In Washington, regulations have "the full force and effect of law").

Perhaps one of the more potent tools in Washington is the required approval, by the state board, of district education plans and the potential of withholding state aid (i.e., the majority of

Table 6
NUMBER OF STUDENTS AFFECTED BY
DESEGREGATION ACTIVITY
FALL 1980

	<u># of Districts</u>	<u># of Hispanic Students</u>	<u># of Black Students</u>	<u># of Anglo Students</u>	<u># of Other Students</u>	<u># of Asian Students</u>	<u>Total</u>
State and Local Initiative	11	7,755	16,404	103,898	4,515	8,400	140,972
Total	11	7,755 (6%)	16,404 (12%)	103,898 (74%)	4,515 (3%)	8,400 (6%)	140,972

education revenue). Clearly, however, desegregation does not pose sufficient problems to require such action nor has any such action been under consideration. Compared to many states, however, Washington state officials appear to be strongly positioned to achieve both the short and long-range objectives of desegregation.

The question of "success" at the state level, was generally answered positively. Ray Broadhead, secretary of the state board, was perhaps representative of the group in stating, "We're doing what we need to do now -- we just need to continue along the same lines and to solve new problems as they arise. We've made good progress."

Dr. H. Eugene Hall, also a member of the state board, agreed in general, but also mentioned the continuing need to change attitudes. Pointing to the more than \$300,000 spent on the recent appeal (to halt Seattle's busing program), he expressed frustration and disappointment -- "a tremendous amount of energy and resources, for nothing." Warren Burton, director of the office for equal educational opportunity in the state department of education, expressed many of the same concerns, as well as several others.

According to Burton, the problems of limited-English-proficient students continue to be a concern in desegregating districts. Then, too, as private school enrollments go up, evidently in response to a growing demand for a more "basic" educational program, desegregation goals may be jeopardized (although minority enrollments in private schools also appear to be on the increase).

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The problems then, appear to be those of "second generation" desegregation, problems that are often more difficult to contend with than simply correcting for racial isolation. But Washington, with its parallel efforts around education reform and school finance reform may be in a strong position to achieve high quality, integrated education programs in its public schools.

Wisconsin

Desegregation is affected in Wisconsin, by the fact that there are relatively few minority students (less than 10 percent), that these few are ethnically diverse, and for the most part are concentrated in five of the state's 433 school districts (with the majority attending schools in Milwaukee). During the decade of the seventies, like many other metropolitan areas, Milwaukee showed a growth in its' population of minority students. In 1970, the Milwaukee system was about 70 percent Anglo, and 30 percent minority. By 1975, the figures had changed to 60-40, and it was clear that city schools were becoming increasingly segregated.

Wisconsin's approach to desegregation is unique. The state legislature has provided incentive funds to encourage both inter- and intra-districts transfers, to achieve racial integration that are embedded in the state's school finance system. The incentives provide funds to receiving districts for each transferred student that considerably exceed the per-pupil amount the district receives for its own resident student population. Thus, the incentives to receiving districts are great.

Sending districts receive the per-pupil amount of state aid

they would have received if no students transferred from the district, and a slightly larger figure for each student transferring within the district to improve racial balance. In addition, the state pays all of the cost of transportation for desegregation, (as compared with only a percentage of regular transportation costs). These incentives have significantly increased state aid for education in areas which, due to declining enrollments and other factors, were experiencing a decline in state aid when the law was passed.

Another important feature of the law, (Ch. 220 of the laws of 1975), is that although student transfers are strictly voluntary, the metropolitan-wide planning council is mandated by the law. Each of the 17 school districts of Milwaukee County are required to participate in an annual review of the transfer program and to assist in the development of recommendations for further action. Individual school boards must then determine whether or not they will participate in the transfer program. Fifteen of the districts (including Milwaukee), are participating in the transfer program.

In Milwaukee, magnet schools have been effectively used to encourage intra-district transfers from suburban schools into the urban area. Special schools have been established for the creative arts, math and science, and for second-language proficiency (in German). In addition, there are fundamental schools, Montessori schools, open education schools, individually guided education schools, etc., as well as schools for gifted/talented students. Parents/students, may select the school

of their choice, but the racial balance in these schools is maintained.

Racine, which has the second largest population of minority students in the state, is desegregating under a voluntary plan, while Beloit, with the third highest minority enrollment, is in the early stages of planning, also on a voluntary basis. The three districts, (Milwaukee, Racine, and Beloit), have a combined student population of approximately 120,000, with 53 percent Anglo, 39 percent Black, 6 percent Hispanic, and 1 percent Asian.

Wisconsin has no state board of education. Policies and regulations are developed and implemented by the superintendent and SEA respectively. The state superintendent has promulgated a policy and guidelines emphasizing state responsibility for securing an equal educational opportunity, and the need for curriculum reform, inservice training and multi-cultural understanding. The SEA, which provides for the implementation of Chp. 220, requires annual pupil enrollment reports from LEAs', and districts that have any school with more than 15 percent variation from district average minority enrollment are asked to submit plans for desegregation. The superintendent and SEA have no enforcement power, but may refer to the attorney general for enforcement.

The SEA, with Title IV CRA funds, conducts a comprehensive technical assistance program. Lee McMurrin, Milwaukee's superintendent of education, indicated that the financial incentives and the technical assistance program were the two major components of the state's approach to desegregation and that both

had been successful.

Both McMurrin and Alan Kingston, Wisconsin's director of federal education programs, expressed unqualified praise for Ch. 220, and felt that it is a model law that other states might want to consider. Both, however, were also concerned about the need for continued financial support.

III. CONCLUDING COMMENTS

The final recommendations of the National Project and Task Force on Desegregation Strategies are included in this report as Appendix A. They are directed toward state policy makers and present, in a concise way, the major strategies states can adopt to further desegregation at the local level.

It might also be pointed out that there is a need for further research and analysis with respect to the state role in desegregation. The information in this report is limited, with each of the thirteen states accounting for only a few pages of the total content. Had the information from numerous bulky state documents been refined and analyzed, the individual state reports could have each easily filled a volume of this size.

In spite of the limitations of this report, it does make evident that activity at the state level has been extensive and complex. Existing literature on desegregation, however, typically indicates that the states have not been active. A not uncommon view of this kind appeared in a recent major study.

Edelstein (1977) has noted that the role of state governments has been minimal in the desegregation process. Our case studies provide support for this contention. In several states, legislative representatives were in the forefront of the movement to resist desegregation..... In general, state governments did not take an active role in

desegregating public schools, although the state government is the ultimate educational authority.*

It can certainly be argued that the states have approached desegregation in different ways, with different objectives, that their progress has been uneven, and that some have just begun to act -- more than a quarter century after Brown. Still, 43 states have by now acted, and of the 43, the states included in this report are fairly representative.

While some legislative representatives, at both state and federal levels, have indeed been "in the forefront of the movement to resist desegregation," others have obviously been in the forefront of the movement to bring it about. More important, however, is the fact that state leaders, viewed collectively, cannot be stereotyped positively or negatively because of the behavior of a few of their members. A wide range of people at the state level are involved -- board members, chief state school officers, legislators, etc., etc. -- and the role of "the states" is a composite of their official and unofficial actions as individuals.

Whether the fact that very little research has been done on the state role causes experts on desegregation to make these kinds

*Charles V. Willie and Susan L. Greenblatt, Community Policies and Educational Change: The School Under Court Order, (New York: Longman, Inc., 1981), pp 337-8. This Harvard-based study included 10 studies of local desegregation efforts located in 9 states: Massachusetts (Boston), Pennsylvania (Erie), Delaware (Wilmington), Texas (Dallas and Corpus Christi), Alabama (Mobile), Virginia (Richmond), Wisconsin (Milwaukee), Nebraska (Omaha), and California (Stockton).

of statements, or whether it is these kinds of statements that have caused researchers to look for more fruitful areas of study, is an open question. The general belief that states are doing nothing to further desegregation, however, continues to persist, with several unfortunate consequences.

The most obvious negative result is that there is no growing body of knowledge about how states can best further the objectives of desegregation. What are the advantages of combining desegregation with a state mandate to improve achievement (Michigan) compared with combining desegregation with school improvement planning (Washington, Pennsylvania), or with an extensive development of magnet schools combined with state financial incentives (Wisconsin, Massachusetts)? Which approaches are most beneficial in terms of meeting the needs of Hispanic students? What are the financial implications of various approaches? Or the legal implications?

These kinds of questions do not appear to have been asked, nor does any typology appear to have been developed to provide a framework for study. For example, states that have received Title IV CRA funds (over half of the states), have approached their technical assistance program in a comparable way (to meet the requirements of the legislation). Other similarities might also be identified -- for example, with respect to local reporting requirements, enforcement provisions, state funding for desegregation, demographic characteristics, histories of de jure desegregation, etc., etc.

In order for states to make maximum use of an existing

knowledge base, some kind of typology (or classification structure), is needed so that users can identify those characteristics of other state approaches that are similar to their own. Both theoretical work and data collection, in other words, are needed.

Because it is common for states to learn from each other, it would seem particularly beneficial to provide for a theoretical framework and knowledge base to which state policy makers might refer to strengthen and refine their existing efforts and to initiate new ones. The research community could make an important contribution in both respects, adding an important, but still missing, dimension to our knowledge about desegregation.

APPENDIX A

TASK FORCE RECOMMENDATIONS FOR EFFECTIVE STATE COMMITMENT AND ACTION*

To assist states in carrying out their commitment to desegregation in education, the task force offers the following nine specific proposals as a blueprint for action. Some of these are time-proven tools, while others are recommendations for innovation. All suggest directions for state leadership that the task force is convinced are sound. Each state will have to review its own situation carefully to decide how best to utilize these proposals.

1. Clear policy directives. Both federal and state constitutions require equal treatment under the law. States that lack specific legislation should enact it. States with such legislation in place should develop implementing regulations, if these do not already exist. The National Project and Task Force on Desegregation Strategies' Profiles on State Desegregation Activity (1979) showed that 36 states had some type of policy or resolution supporting nondiscrimination, equal access to educational opportunity or school desegregation. Consideration should be given in addition to policies or legislation which would: (a) provide for regional educational plans with desegregation outcomes, (b) provide state funding and/or financial incentives to encourage voluntary cross-district efforts and (c) establish incentives for the development of outstanding minority schools in areas not yet desegregated.
2. Commitment to policy. Successful implementation of equal educational opportunity policies requires a commitment on the part of state officials both within and outside of the education establishment. This commitment should start with the governor, who can contribute to desegregation by: (a)

*These recommendations were developed at the last meeting of the National Project and Task Force on Desegregation Strategies. They are included, with the other related materials, in State Leadership Toward Desegregating Education: A Positive Future, November 1980, pp. 6-9.

educating the public about the reasons for and the benefits to be derived from desegregation; (b) making desegregation a high priority item in the budget submitted to the state legislature; (c) in states where the state board and/or the state superintendent is appointed by the governor, appointing persons committed to the goals of desegregation; and (d) communicating to the federal government the state's interest in cooperating with federal agencies to achieve these goals. Equally important is the support of the state legislature, both in budget and in providing specific authority for achieving desegregation and equal opportunity goals.

3. Understanding and use of existing state authority. Governors, legislators, state executive departments, boards, and agencies should review the numerous powers available to them to promote school and neighborhood integration. Real estate licensing procedures, state revenue sharing with local governments, state highway construction decisions, incentives to and regulation of business, and countless other state functions can be utilized to promote residential integration. State, as well as federal, courts can be used to protect equal opportunity rights.
4. Encouraging federal government coordination of programs for urban integration. Currently, the federal civil rights enforcement machinery for education, housing and employment is divided among three separate agencies. Although administrative enforcement of civil rights is potentially far more effective than litigation, it could be vastly improved by better coordination among those agencies. A related problem is lack of coordination between federal civil rights programs, on the one hand, and grant programs, on the other. In too many instances, the civil rights machinery attempts to enforce compliance, utilizing the threat of withholding funds as a sanction, while another federal agency awards grants for related problems for state and local recipients. A concerted attack on the related problems of school and residential segregation will require significant improvements in both types of coordination. Such changes will not occur unless there is a strong political support for them from the chief executive himself. A joint appeal to the President by the governors of the 50 states would be an effective way to make the states' viewpoint known. Although decisions regarding federal programs must be made at the federal level, states can encourage such coordination by offering to share the responsibility of enforcement of programs relating to desegregation and urban integration. Given the vast overburdening of the federal government in the civil rights area, it would make sense for federal authorities to welcome proposals for sharing some of these responsibilities with the states.

5. Financial and psychological incentives. State funding and incentive programs, when used in conjunction with additional mandatory measures, are a proven aid to school desegregation. Financial incentive legislation in Wisconsin encourages city and suburban schools to exchange students. In Massachusetts state reimbursement of transportation, new school construction costs and magnet school programs have been an effective supplement to court-ordered desegregation. Similar use of state funds to encourage desegregation has been made in Ohio and New York. Equally important are emotional and psychological incentives for desegregation. Identification of model integrated schools bolsters the efforts of students, parents, teachers and administrators who contribute to their success and encourages other schools to emulate them. Similarly, identification of effective schools in minority communities, in which desegregation is unlikely to occur in the near future, fosters pride in those schools and reinforces the efforts being made there. Both Boston and Hartford have successfully employed a different type of psychological incentive by developing city schools and programs that attract suburban students.
6. Incentives to increase residential opportunities for minorities. State standards for desegregation strongly ought to encourage the adoption of plans that offer incentives for residential integration by exempting naturally integrated neighborhoods from plans for pupil transportation. Such an example could be used to encourage a white suburb, for example, to cooperate with HUD in locating public housing within its borders or in seeking to attract to its community Black or Hispanic families taking advantage of other HUD programs. Most states have an agency with some type of responsibility for fair housing. To achieve urban integration, however, that goal will have to be raised to a new, higher priority. Many state agencies' activities affect residential patterns. States that are serious about urban integration should as a first step set up a special state office or task force to coordinate the effort. Such an agency should review the impact of all state activities on housing patterns and develop a plan for coordinating those activities with the state's urban integration policy. Such an effort will require commitment by the highest state leadership to the goal of urban integration. In addition, the legislature ought to explore ways of providing authority and incentives to local school districts, governments and fair housing groups to work cooperatively toward achieving school and residential integration.
7. Technical assistance. Technical assistance is a familiar and proven strategy for facilitating effective desegregation. As the concept of desegregation broadens,

the scope of technical assistance activities must expand as well. Such assistance should be directed at problems that occur at every stage of the desegregation process and in every part of the educational experience. Of course the effectiveness of the services rendered and the receptiveness on the part of local districts to such aid depend largely on the quality of assistance available. It is the responsibility of the state department and the state legislature to insure that a high quality of assistance is readily available to teachers, administrators and school staffs, as well as to other local officials.

8. Monitoring and sanctions. In addition to providing technical assistance to desegregating school districts, state education departments and other state civil rights agencies (e.g., human relations commissions) should monitor compliance by school districts with state equal educational opportunity standards. These agencies must be adequately equipped by the legislature with sufficient funding and personnel resources and with legal sanctions for noncompliance. Further, these agencies must be prepared to exercise the sanctions available and must have the support of the state board, state superintendent, the governor and the state legislature.
9. Public understanding and support. The most certain way to build confidence in the school desegregation process is to involve citizens in it. This can be done through advisory councils and community education programs and many other means. Among the first fruits of such efforts will be a revived public awareness of the benefits of desegregated education. This must be coupled with a straight-forward appeal to dispel those myths and half-truths that have developed and that cause fear, confusion and sometimes vehement resistance to school desegregation. State programs aimed at improving public understanding and gaining public support should particularly focus on two groups that have generally been overlooked in school-community relations: minorities and people with nonschool-age children. Of course the support of all community groups and institutions should be sought, including business, labor, civil rights, church and other such groups.

Most of these strategies will require little if any additional financial support. However, the National Task Force on Desegregation strategies urges each state to provide the appropriate resources, including financial aid if needed, to: (1) examine its current priorities and programs with respect to their

impact on desegregation and (2) develop its own comprehensive plan for achieving desegregation, equity and excellence in its schools. The task force further calls upon the public and private leadership of this country -- at federal, state and local levels -- to support this state effort.